

REFERENCE

THE KEY TO
FREEDOM AND
SECURITY
IN INDIA

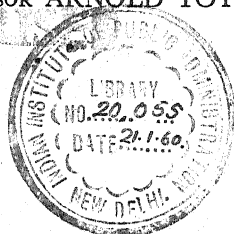
THE KEY TO FREEDOM AND SECURITY IN INDIA

*A constructive study of the elementary
principles of civic freedom and security
with reference to the establishment of
stable free institutions in modern India*

By

AN INDIAN STUDENT
OF POLITICAL SCIENCE

WITH A FOREWORD BY
PROFESSOR ARNOLD TOYNBEE



OXFORD UNIVERSITY PRESS
LONDON : HUMPHREY MILFORD

1933

IIPA LIBRARY



20055

OXFORD
UNIVERSITY PRESS
AMEN HOUSE, E.C. 4
London Edinburgh Glasgow
Leipzig New York Toronto
Melbourne Capetown Bombay
Calcutta Madras Shanghai
HUMPHREY MILFORD
PUBLISHER TO THE
UNIVERSITY

PRINTED IN GREAT BRITAIN

To

ROBERT STAFFORD ARTHUR PALMER

‘Take thou the writing : thine it is. For who
Burnished the sword, blew on the drowsy coal,
Held still the target higher, chary of praise
And prodigal of counsel—who but thou?
So now, in the end, if this the least be good,
If any deed be done, if any fire
Burn in the imperfect page, the praise be thine.’

R.L.S.

*'There be many shapes of mystery :
And many things God brings to be,
Past hope or fear.
And the end men looked for cometh not,
And a path is there where no man thought,
So hath it fallen here.'*

The concluding chorus in the
Alcestis of EURIPIDES
(Professor Gilbert Murray's
translation)

FOREWORD

IN this study of the problem of self-government in India, the author covers the whole field; and in every part of the field—whether he is dealing with the franchise question or the communal question or the defence question—he has a way of getting to the heart of the problem, bringing the realities to light, and working out constructive proposals in which these realities are not only taken into account but are used as the bases for the proposed solutions. The reader will find in this book the results of original thought set out without prepossessions and without any taint of current polemics. Its author grapples with his problem throughout in a spirit which is both independent and disinterested.

In the part of the book that deals with the franchise, the two principal proposals are: first, that there should be different franchises for areas of different scale, varying from an adult franchise for village government to a restricted franchise, with a high qualification, for the Government of India; and second, that public service, as well as property and literacy, should be one of the obligatory qualifications for each of the progressively restricted franchises relating respectively to the district, provincial, and national Governments.

For the training of an electorate (which, as the author points out, is one of the principal political tasks that have to be accomplished in India now) these proposals are, both of them, obviously constructive. For they suggest possibilities of avoiding three formidable evils: the evil of indirect election; the evil of an unmanageably large electorate of inexperienced voters for All-Indian affairs; and the evil of the exploitation of the masses by an enfranchised oligarchy

with a membership confined to the tiny literate and propertied minority.

European and American readers will find that, in discussing franchise problems in realistic terms with an eye to Indian conditions, the author has raised issues which are also causing concern nowadays to the rest of us in our own national politics. How are electorates to be inspired with a sense of responsibility? And how are they to be taught to save themselves from being bamboozled and exploited by professionals in the art, e.g. by newspaper magnates and by party machines? We are ruefully aware that, when these questions are asked, we are not in a position to consider them with the Olympian detachment of superior persons who are not vexed by them personally. Assuredly, these are Western as well as Indian political problems, and a Western student of politics will find grist for his own mill as he turns the pages of this book.

In the next part, the author wrestles with the problem of reconciling responsible parliamentary government with communal representation; and he points out that no ingenuities of political arithmetic, and no sureties in the form of external safeguards, will satisfy the needs of the Indian minority communities. Their real needs are that they should be assured of having a fair share in the exercise of political power and responsibility, and of having this assurance given to them by constitutional sanctions which derive from the balance of power in India between the communities themselves, and not from a weightage which must be exerted, in the last resort, through the British connexion. His proposal for solving this problem is a statutory division of electoral areas into two constituencies each: one majority party constituency and one joint-minority parties constituency. A redistribution of communities between these two constituencies is to be allowable

periodically at fixed intervals, so that the parties of the joint-minorities constituency, who have been in opposition during one period, may have a chance of holding office in the next period if they can frame a policy which will induce a section of the previous majority party to apply for transference from the one constituency to the other.

This proposal, again, has an interest which is not confined to India; for India is not the only country in which the working of responsible parliamentary government has to be reconciled with the existence of a communal problem which parliamentarism fails to provide for automatically, owing to the historical accident that parliamentarism was originally evolved in countries with a more or less homogeneous body-politic in which the communal problem was either non-existent or at least not acute. What is wanted here is some realistic political invention to deal with a new situation; and the author's contribution to this invention has a direct bearing upon the problem of self-government in Iraq, Syria, Palestine, Roumania, Jugoslavia, Czechoslovakia, and Poland—to mention only a few of the countries in which parliamentary government cannot work really satisfactorily until the communal difficulty has been overcome.

Finally, the author applies his principle that power must be wedded to responsibility in dealing with the problem of Indian defence. He sees that this problem cannot be solved until the people of all the Provinces and States of the Indian Empire take this responsibility upon their shoulders, instead of leaving it to be divided between the British and the so-called 'martial races' of the north-west. At the same time, he sees that this sense of responsibility has to be awakened without conjuring up the evil spirit of militarism and without launching India upon a programme

of armaments at a moment when the world as a whole is attempting to limit armaments and reduce them. He grapples with this difficult problem by proposing to make a distinction in recruitment and training and equipment and status between the force required for parties defence and the force required for the maintenance of internal order. Here again, he is dealing with a problem of general interest; and his suggestion has obvious points of resemblance to President Hoover's plan for drawing a distinction between the defence contingent and the police contingent in the national armed forces of every country.

It will be seen that the author of this book has things to say that will be of interest to a wide circle of readers. But the function of a preface is simply to act as a finger-post and not to anticipate the journey. To appreciate his work, the reader must study it at first-hand for himself.

ARNOLD J. TOYNBEE

PREFACE

OF all branches of human knowledge, the science of politics is of the most far-reaching practical interest and importance to mankind; yet a survey of the opinions of recognized authorities of the present day reveals a lamentable lack of agreement among them even on fundamental issues. While other branches of human knowledge have made rapid strides of late, political research is still in an empirical stage shrouded in obscurity and uncertainty. Its progress is hampered at every turn by the obstinate prevalence of blind prejudices, obsolete dogmas and outworn institutions. From time immemorial it has been more or less customary all over the world to regard sovereignty as either the birthright or the exclusive monopoly of a privileged few. The opposite democratic idea of popular sovereignty has come to be seriously considered as an ideal for all the world only since the commitments and exigencies of the Great War not only caused a reshuffling of nations, but stung the victors into formulating the real ultimate issues of the right of peoples to self-determination for which they fought. Even so the full scope of the implications, as well as the applications, of the principle of self-determination has yet to be explored. It is precisely because of this, that the question of the establishment of a democratic system of responsible government under the very peculiar and most complicated conditions of modern India, is of far more than domestic importance to India and Britain, as its implications and consequences are of world-wide significance.

Efforts so far made to grapple with the problem in India, both by British administrators and by Indian political leaders alike, have naturally tended to proceed on the

analogy of other countries. They have sought to introduce freedom and responsibility into the administration of the country from the top, in the fond hope that some day they would somehow filter down to the inert masses of the people at the bottom. Such a hope is foredoomed to endless delay and perhaps failure and disaster, especially under Indian conditions of autocratic tradition and caste prejudice, unless a real beginning is now made at the same time to build up from the bottom and devise effective ways and means of training the masses of the people to freedom and responsibility side by side with the introduction of 'provincial autonomy' and 'responsibility at the centre'. The present work is intended to call pointed attention to this vital need and to make constructive suggestions to co-relate the hitherto inarticulate masses by stimulating them to voice their opinions and needs so that in the coming democracy of India they may pull their full weight with the already enlightened and enfranchised elements. If this can be done, then the new Indian constitution will not degenerate into a high-caste oligarchy but may become a true democracy, bringing freedom and responsibility to all sections and classes of people, high and low, rich and poor, literate and illiterate, urban and rural.

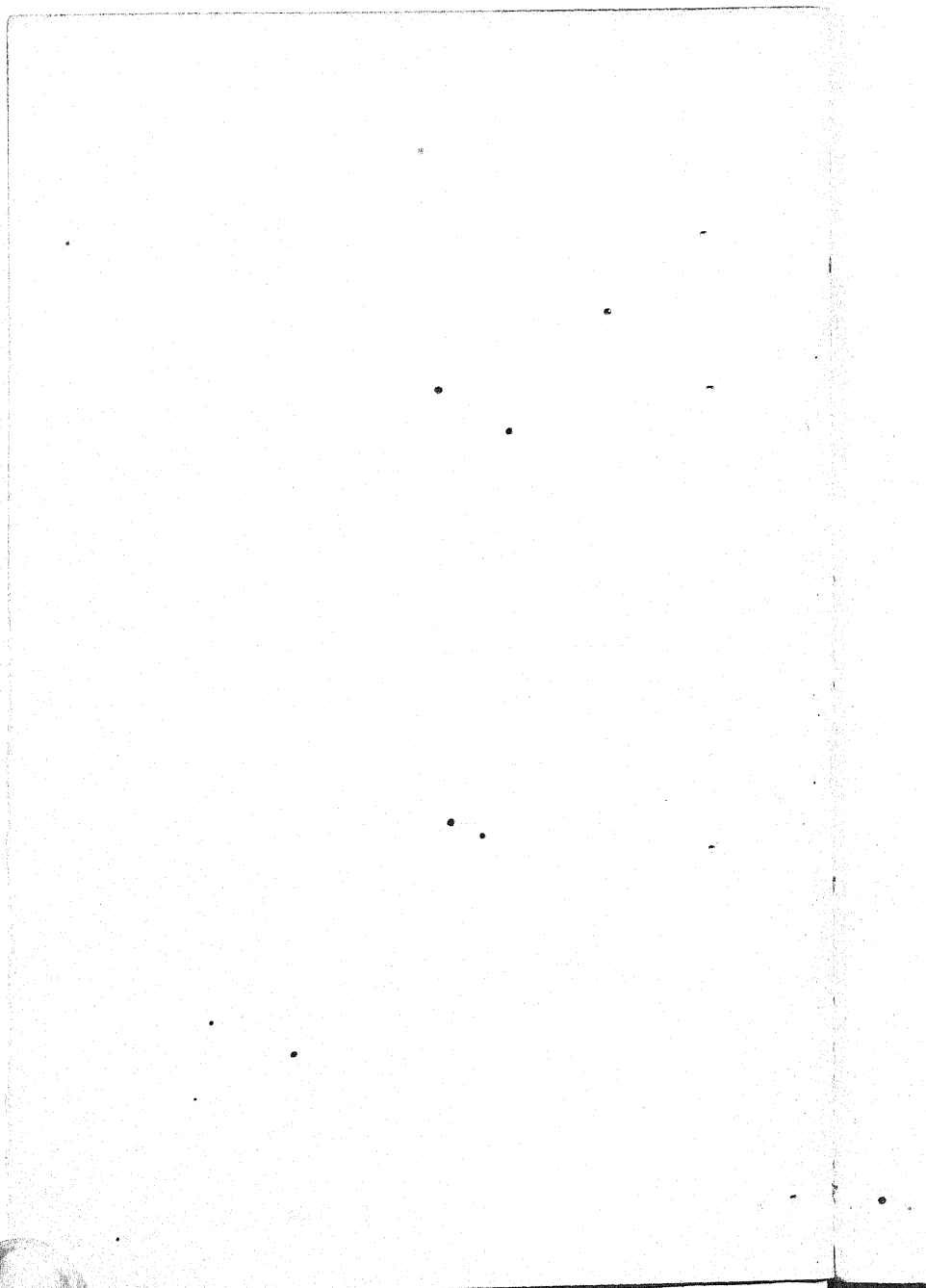
Twenty-one years ago it was the author's privilege to form a friendship with one of the noblest and most gifted Englishman to whom this work is dedicated as a humble tribute of deep gratitude and unalloyed affection. That friendship brought with it a rich harvest of experience and contact with a mind singularly fresh and original in its outlook. It inspired in the author a point of view which has matured as the years have gone by and proved the starting-point from which this work and its method of approach to the subject have been built up; the author believes that this affords a stable foundation for freedom

and responsibility in India as well as for harmonizing for the future the organic relationship now existing between India and Britain.

This work, then, is a detached study of the first principles of civic freedom and security with reference to modern Indian conditions by one who was never identified with any one political party or interest, but who has lived in India through half a century of her eventful recent history and has been a keen life-long student of the various trends of public affairs in several provinces of India. It is inspired from start to finish by a threefold conviction, namely (1) that instead of the endless division and clash of interests within India being a hindrance to her political advance, they will, if properly organized, become in reality the raw material for her attainment of a more richly endowed and unique national destiny than is possible for other more uniform peoples; (2) that the intimate contact between India and Britain, far from being an obstacle in the way of India attaining true freedom and security, may itself become the very source and effective means thereof; and lastly (3) that the meeting of East and West in modern India can not only provide a fuller and richer life for India and Britain than is possible for either apart from the other, but can also be of world-wide significance and value as a pattern of the organic unity, amity and goodwill attainable between widely diverse peoples.

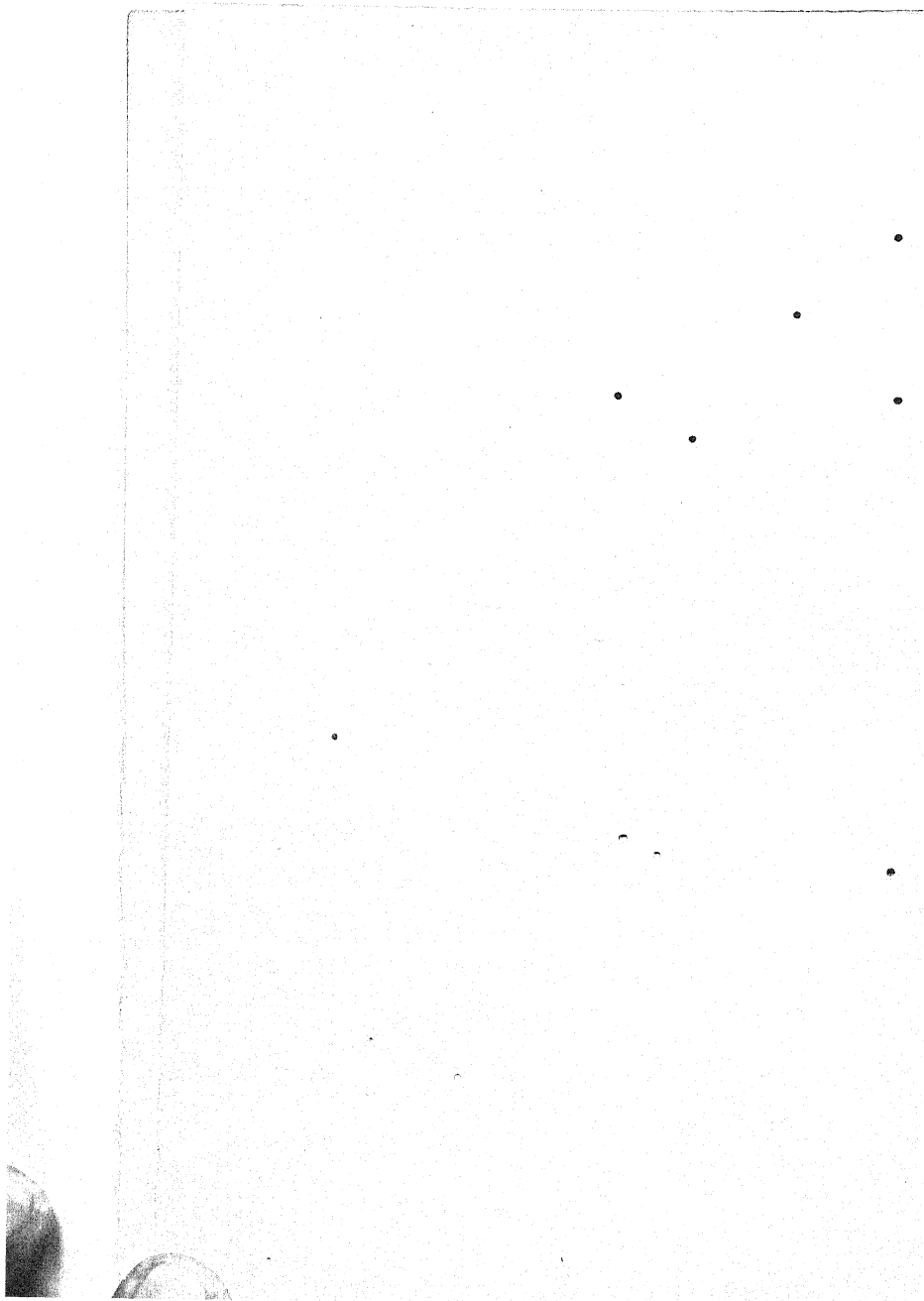
Finally, the considerations urged herein are not put forward so much as an alternative or substitute for the declared pledges of successive British Governments or the formulated aspirations of various Indian national leaders, but rather as the indispensable foundation to give substance and reality to both.

THE AUTHOR



CONTENTS

DEDICATION	v
FOREWORD	vii
PREFACE	xi
<i>Chapter I.</i> INTRODUCTION	i
<i>II.</i> THE POLITICAL OBJECTIVE	5
<i>III.</i> MODERN INDIAN CONDITIONS	18
<i>IV.</i> THE FRANCHISE PROBLEM	31
<i>V.</i> THE COMMUNAL PROBLEM	64
<i>VI.</i> THE DEFENCE PROBLEM	101
<i>VII.</i> FINANCIAL ADJUSTMENTS	172
<i>VIII.</i> ADMINISTRATIVE SERVICES	215
<i>IX.</i> INDIAN SOVEREIGN STATES	238
<i>X.</i> CONCLUSION	249
<i>Appendix A.</i> THE LOTHIAN COMMITTEE REPORT ON FRANCHISE	253
<i>B.</i> MINORITIES SUB-COMMITTEE REPORT	264
<i>C.</i> SKEEN COMMITTEE REPORT	271
<i>D.</i> R.T.C. DEFENCE SUB-COMMITTEE REPORT	278
<i>E.</i> SERVICES SUB-COMMITTEE REPORT	282
<i>F.</i> 'WHAT IS PROPOSED' AND 'WHAT IS NEEDED'	286



Chapter I

INTRODUCTION

AN enormous literature on the Indian political situation has sprung up with bewildering rapidity; and the average reader is likely to be perplexed by the clamour of conflicting voices that are finding utterance therein. In order to simplify the issues involved, this literature may be broadly classified under three distinct headings as follows: firstly, the works of various Indian publicists voicing different interests within India herself; secondly, the works of 'Anglo-Indian' writers, i.e. British authors who have served in India for many years and who claim to speak with the authority of direct personal experience of Indian conditions and problems; and, thirdly, the writings of European and American visitors who have spent one or more cold winters in touring through different parts of the country, and whose writings form a sort of running commentary on Indian affairs from the detached standpoint of a neutral observer. There exists an amazing diversity of opinion not only between the authors of these three classes but also between different writers within the same class. This is so not merely with reference to the various interpretations and conclusions they severally reach, but extends also to their statements of facts and impressions.

The works of Hindu and Muslim authors on India are necessarily coloured by their respective traditions and cultures which form the inevitable background of their several surveys and influence their varying estimates of present-day needs. Again, cleavages within the Hindu community itself become apparent according as the writers represent the Indian National Congress or

moderate Liberal opinion, or whether they belong to the Brahmin, the non-Brahmin, or the Depressed Classes. But however much the writings of Indians on India may differ in substance, yet they may be said, on the whole, to give fair expression to the thoughts, feelings, and aspirations that are actually swaying the Indian intelligentsia.

Anglo-Indian writers differ greatly from one another in their accounts and estimates of the Indian situation, according to the province they have dwelt in most, and whether they have been Government officials, business men, or missionaries. But in each case the actual contact and experience are limited to and distinctive of some aspect or section of the life of the vast multitudes that form the peoples of India. British Government officials in India, vested with the prestige and the authority of Government and often hampered by rigid routine and the autocratic traditions of former administrators, do lack in many cases the natural social intercourse with the people of the country which non-official Europeans enjoy. With rare exceptions Indians as a whole refrain from free and frank discussion of public affairs with British Government officials. But as against this disadvantage, the British official in India has a unique and intimate knowledge of Indian conditions, because in his administrative capacity he is the actual authority on the spot who deals with all disputes and difficulties as they arise.

On the other hand, European business men and missionaries, as a whole, see a more natural side of Indian life; but as their work and interests are commercial or social, their knowledge of India tends to be restricted to their respective spheres. Yet they give a not untrue picture of actual administrative problems and of social and economic conditions in the country.

As distinct from the above two classes of writers,

European and American tourists visiting India have contributed a literature characterized by breadth of vision and striking freshness of outlook. Their several descriptions of the country and its problems differ from one another alike in form and substance according to the varying personal outlook and political sympathies of their respective authors. But on the whole they give a more or less comprehensive bird's-eye view of the entire Indian situation. They are singularly free from local prejudices and see things as it were from the outside. Moreover, they are not limited to the outlook of Government officials, business men, or missionaries; and so in their survey include at once both the governors and the governed. What they lack in intimate knowledge of details is more than made up for by their broad appreciation of the general trend of events and of the great influences at work.

Thus it will be seen that each of the three classes of works distinguished above makes its own special and distinctive contribution to the elucidation of the entire complex Indian situation. In this treatise it is not intended simply to add one more volume to any of the above three classes of works on India that already exist, but rather to seek to bring together the three distinct points of view indicated above. Herein an attempt will be made to accomplish this, not from the limited standpoint of any one sectarian interest or particular party, however numerous or influential it may be in itself, but from the broad and impartial standpoint of political theory. For the scientific student of politics, India presents perhaps the biggest and most fascinating problem that has ever confronted constructive statesmanship.

There exists scattered through the more advanced countries of Western Europe and in America a great band of disinterested and scientific students of public affairs,

persons who watch the trend of public events with a vigilant eye and who by their researches and writings make an invaluable contribution all their own to the intelligent discussion and decision of the burning problems of the day. They are a priceless asset to practical statesmen in these countries. This element is singularly lacking in the public life of India. Only very recently has Political Science itself come to be recognized as a distinct department of study in some Indian universities. So it is not surprising that in the present crisis, the intricacies of the Indian constitutional problem, which deserve above all the best available thought of original minds and disinterested scientific students of politics, are being handled almost entirely by a band of mere party politicians both in India and Britain. The result is that, instead of the illuminating discovery and enunciation of basic principles, we have the sorry spectacle of bickering and bargaining and endless and ever-shifting compromises based on temporary expediency between the conflicting partisans assembled about a Round Table. This is one of the great tragedies of Indian public life. The present treatise is an attempt to supply this deficiency by seeking to penetrate behind the subjective veil of personal opinions and sectarian feelings as they find utterance in the rival claims of conflicting partisans; it aims at reaching the core of the actual needs of the various peoples on whose behalf or in whose interests claims are made. It endeavours to reach bed-rock by thus seeking to find the ultimate objective roots of the Indian constitutional problem, and then by analysing and clarifying the various issues involved therein from a scientific and practical standpoint. If it be found to have helped in any manner or measure towards the accomplishment of this aim, it will not have been written in vain.

Chapter II

THE POLITICAL OBJECTIVE

BEFORE coming to grips with the issues involved in the Indian constitutional problem, it is desirable to describe briefly the precise nature of the ultimate objective underlying all modern efforts at political reconstruction. Students of history in general, and of political science and constitutional history in particular, are acquainted with the many different forms of government that have flourished in various countries among diverse peoples and at different times. For the purpose of this treatise it is not necessary either to inquire into the inner history or even to dwell on the distinctive characteristics of the various forms of government known to mankind. We are far more concerned here with the practical question of their evaluation or intrinsic worth than with merely theoretical considerations of descriptive classification and historical growth.

In dealing with the question of the comparative value of different forms of government, there are two types of error of an opposite kind to which the constitution builder is especially susceptible. One is the very natural tendency to generalize from some particular system of government that one is acquainted and satisfied with, by assuming that it is the only desirable form of government for all peoples and all times; and the other is the equally natural opposite tendency to treat radically different forms of government as on the whole of more or less independent and unrelated nature, each being deemed as best suited for the times in which, or the peoples among whom, it was found to prevail. The truth lies midway between these two extreme and diametrically opposite views, and it can be discovered by

attempting to distinguish carefully between underlying principles which are of intrinsically universal and enduring value in the art of government on the one hand, and actual political institutions and outward forms which are merely local, accidental, and transitory on the other hand. The failure to make this distinction is responsible for many wrong deductions, and much confusion of issues in contemporary political thought, more especially concerning India and her future.

For instance, in connexion with the present controversy over the Indian political situation, it is still not uncommon, even in educated circles, to come across statements to the effect that self-government or democracy is best fitted for the political genius of the peoples of Britain, Canada, or the United States, but that it is entirely alien and unsuited to the traditions and character of the peoples of India. It is said that the best form of government for India is perhaps a patriarchal despotism or benevolent autocracy. Such opinions are at best only hasty and short-sighted deductions from the conditions prevailing for the time being or in the immediate past in the respective countries under consideration; and they ignore the inconvenient fact that within historical times an advanced democratic country like Britain was under the sway of irresponsible autocracy. Equally they ignore the genuine rudiments of popular government that have survived whole centuries of oriental despotism in institutions like the Indian village panchayats.

At the root of all such opinions there lies a grievously incomplete and therefore fundamentally mistaken and misleading conception of the real nature and function of the State in national life. During past ages it was believed, and amongst politically backward peoples to this day it is held, that the real business of the State is to prevent crime,

to settle disputes, to keep order, to maintain peace, to protect person and property, to impose taxes, to collect revenue, and to regulate and secure organized exchange of articles of common utility. No responsible person will deny that all these are necessary elements in the life of a State; but, on the other hand, it must not be forgotten that any of all of these functions put together will not exhaust or even suffice to describe the real scope and function of government.

The State is not a mere voluntary association or philanthropic society established for promoting or maintaining certain beneficent objects, where membership is optional and confined to those interested in it. It is the one comprehensive and enduring body to which all people living in a country necessarily belong and over whom it has coercive authority, and within whose all-embracing orbit all other merely voluntary organizations for particular purposes are formed and exist from time to time. So the true end and function of political authority has increasingly come to be regarded in modern times as not only to keep order but also to create and sustain a righteous order; as not only to maintain the public peace but at the same time to secure and ensure a just peace. It is no longer regarded as enough to prevent crime and to protect person and property, but in addition it is expected of the State in our day to devise effective ways and means for organizing and augmenting all available resources in order to provide the fullest opportunity for the free development of the best capacities and latent possibilities of all its citizens, so that they may grow unhindered and attain to the full measure of their stature. Though the State may have originally come into being for the limited object of protecting the bodily life and the material possessions of its citizens, it now endures for the enlarged purpose of

promoting their good life, i.e. their rich, happy, and honourable life. In other words, its real nature and function has increasingly come to be determined as much, if not more, by the moral and spiritual needs inherent in the human nature of its citizens as by their physical and economic requirements.

The restricted idea of the nature and function of sovereignty in primitive times and amongst backward peoples explains why they were so long content to remain in political tutelage under patriarchal or autocratic rule. So long as the relatively simpler functions of collection of revenue, maintenance of law and order, settlement of disputes, and protection from internal feuds and external aggression were regarded as the main functions of government, it was possible to entrust them to a limited class of professional rulers. But as our conceptions of the scope and functions of political authority have inevitably become enlarged, it is no longer possible to leave sovereignty entrusted as the exclusive task or monopoly of a particular governing class.

This is the unmistakable lesson of universal history illustrated by the experience of all nations alike. The knowledge and experience of no one class of persons, however enlightened and prepared by training, is really adequate to cope with the ever-growing demands of the modern State. Unlimited or irresponsible power, however efficient or useful it may have been for the time being and for the limited purposes of the State in ages past, has never proved a good thing in the long run for either rulers or the ruled. Government by one or a few tends inevitably by virtue of its very limitation to result in an unwholesome confusion between the private good of the rulers and the public good of the community as a whole; and consequently the subject classes who are excluded from political power

are not only deprived of the priceless spiritual privilege and opportunity of becoming free responsible citizens, but tend to lose even their due share of the actual material benefits of good government. That this should be so is not surprising. Whether in individual or national life, all exercise of power is conditioned necessarily in the nature of things by the knowledge and experience at its disposal. Not merely in politics but in every walk of life, the wider the experience and the deeper the knowledge, the more efficient and fruitful will be the action resulting from it; and conversely, lack of experience and limited insight lead to blunders and disaster. All human experience is by its very nature intimately personal and individual, and hence no single group or class of persons can ever enter from outside into the true inwardness of the needs of others. And even if by some miracle they could do so, it is neither right nor desirable that they should invade the inviolable sanctity of the personalities of others and usurp their distinctive individual right of self-expression. It is common knowledge that the claims, view-points, and opinions of capitalists and labourers, of landlords and tenants, of employers and employees, of rulers and ruled never coincide; and this is so just because their respective actual experiences are never identical. Therefore it is never safe to entrust legislation and public administration to any one single class or section of the community. Indeed no Government can afford to do without the experience and active co-operation of any section or class of its subjects. To the extent to which this is lacking and there is left any portion of unenfranchised persons in the State, to that extent the State is crippled. Hence it is vitally necessary to organize all available experience and to construct effective channels through which it can find self-expression and determine administrative policy and action.

Thus we are forced to conclude that while Omnipotence may remain wedded to Omniscience in the Divine Perfection, human political authority, if it is at all to be sufficient to meet the increasing needs of the modern State, should no longer remain concentrated in the hands of a few, but should be broad-based in each case on nothing short of the collective will of its entire adult population. The only way in which the ancient chasm between rulers and ruled can be effectively bridged, and the only cure for the chronic limitation and impotence inherent in all autocratic class rule, lies in the modern democratic ideal of all classes and sections and interests concerned actively working together.

This raises the further practical question of the precise nature and extent of popular participation that is actually desirable or possible for maintaining at its best the unity and efficiency of the State as well as the freedom and sovereignty of its peoples. Here one is faced with serious practical difficulties; and it is the business of the constitution builder in our day to devise effective ways and means of overcoming difficulties. It is obvious that the actual task of legislation and administration cannot be directly undertaken and carried on by the entire sovereign body of citizens in a State, or equally and in the same way and degree by any or each of them. So it has necessarily to be entrusted to a representative legislature specially selected and set up for the actual conduct of affairs of State; and out of this in its turn is formed a small compact executive cabinet responsible to the legislature in the first instance and ultimately to the entire body of citizens. But in this there is always a real danger of the executive becoming a close bureaucracy or irresponsible oligarchy and of the masses of the governed losing their freedom of control and sovereignty. The true nature and function of executive authority in the modern democratic State is to

discover the experiences of the peoples whom it represents; to deduce therefrom the underlying privations, wants and needs which those experiences reveal and to devise suitable machinery for their satisfaction and reconciliation one with another.

As human society is dynamic and as the needs and experiences of people perpetually change and grow, no single legislature or static executive body, however splendid its past record may have been and however efficient in itself it may now be, can permanently either express the experiences or satisfy the wants of a people. Therefore it becomes necessary to hold periodic elections involving the setting up of fresh bodies for legislative and executive purposes in the democratic State. But mere frequency of elections is neither practically possible nor sufficient to ensure the freedom and sovereignty of the people. Therefore the machinery of self-government in the truly democratic State must be so devised as to ensure continual living contact and perpetual mutual dependence between the people on the one hand and their government on the other hand. Only thus can the wants of the whole population find an opportunity for creative self-expression in and through its executive.

The mere consent of the governed is not sufficient to protect and ensure the freedom and sovereignty of the people; their active participation and voluntary decision must lie at the very basis of all legislative and executive authority in the really free state. This is secured, if at all, only in a very imperfect manner, by the ordinary democratic system which provides for the people exercising the right of voting on questions of public policy and of choosing periodically persons who are deemed suitable to act as legislators. The serious defects and repeatedly proved insufficiency of this machinery for achieving the

truly democratic end are overlooked by many people who regard it as the main content of popular sovereignty.

Apart from the obvious practical difficulty of carrying on government through a series of frequently repeated and very expensive general elections or referendums, the issues that arise for discussion and decision in the modern State are so many and varied that the vast majority of the voters may be incapable of giving an intelligent decision on the issues involved. Herein lies the real danger to democracy, for such cases provide the temptation for the executive to usurp the sovereign rights of the citizens and to carry on government in their name. So long as nothing outrageous is done and no hue and cry is raised, the electorate goes to sleep in the inevitable interludes between general elections, and the executive feels itself safe to pursue its policies in its own way. This does not mean that the government has been carried on by the executive in the only possible way or the best possible way under the circumstances. Often it may be the very reverse. If democracy is really to come into its own, it is necessary to devise adequate ways and means of safeguarding against such risks.

The experience of many nations goes to show that a party system out of which a Government and a constitutional Opposition can be formed furnishes a most effective and formidable bulwark against abuse or monopoly of power by any one section or particular interest in a country, by providing actual machinery for an alternative Government ever ready and anxious to replace those in power at any one time. It provides the best available practical means of choosing a Government after a general election as well as of replacing it when the confidence and support of the community is lost. Out of the confused mass of passions and prejudices prevailing among the masses of

the people, each party selects those matters which it regards as live issues and accordingly prepares its own definite party policy and programme. Within the ranks of each party there is room for healthy diversity of opinion within certain broad outlines of common agreement on major issues. Each party not only vividly calls public attention to what it regards as really urgent and important problems, but also formulates its own solutions which it commends to the electorate with all the force at its command. The controversy between rival policies and party programmes, in spite of, or perhaps because of, the inevitable exaggerations on either side, provides invaluable political education to the electorate and eventually leads to the clarification of the issues that need to be decided at a general election. Besides, it furnishes suitable means for readily ascertaining the line of policy and action that the masses of people on the whole decide to proceed with immediately.

Once the election is over and a Government is constituted, such a system not only provides the opportunity to the party in power to concert measures and take steps to carry out its own policy, but it also assigns to those not in power the no less important task of watching the results and estimating the success or failure of the adopted policy and programme in the light of actual accomplishment. Thus the champions of other possible solutions of public problems are not ignored or neglected as a mere minority, but are utilized to form a critical opposition to the Government of the day, and they may be called into office and given the opportunity to govern in their turn. Here it is important to note that the supreme merit of the two-party system for democratic purposes consists not merely in giving room for the voicing of points of view and opinions of sections other than those in power, but in providing these others

in their turn with a fair and equal opportunity to come to power. In this way the two-party system saves democracy from degenerating into a majority tyranny over minorities.

In countries like modern France or Germany where the prevailing electoral system yields not two more or less evenly balanced parties, but a multiplicity of groups, they have to carry on prolonged negotiations with one another after every general election, till in the end they succeed in achieving sufficient compromises among themselves to enable them to form a Government; and the resulting arrangement of the groups is on temporary two-party lines, consisting of those composing or supporting the Government and those against it. The group system by its very nature means that no Government can be formed until the resulting groups after an election have come to terms with one another by temporarily patching up their differences as best they can.

Under such a system no executive can ever have sufficient stability or feel that it has a clear mandate from the electorate to carry out any definite policy, for the simple reason that it stands for no outstanding policy or clear-cut programme but only for a mere precarious patch-work of group opinions. Besides, such group systems provide ample scope and incentive for endless intrigue, and consequently there will be a rapid succession of short-lived administrations with no continuity of policy, accomplishing nothing substantial. It will degrade government into mere job-hunting and party manoeuvring for transitory advantages, and thus will prove fatal to the possibility of ever having a strong stable executive in the State. Herein lies the intrinsic superiority for democratic purposes of a party system of government over any group system such as either communal or proportional representation may yield; and therefore a constitution must be deemed more

satisfactory if it succeeds in providing for party equilibrium within itself.

But, even under the party system of government, experience shows that there is grave risk of the party in power quickly getting out of touch with public opinion and abusing its majority for carrying out measures for which it has no clear mandate. To counteract such tendencies, it is helpful to constitute non-official advisory or consultative committees, consisting of accredited representatives of the classes and sections of the community directly concerned with the questions that come up for decision. Such committees are increasingly coming to be established and play a useful part in the various departments of the public administration of enlightened modern States. They serve the double purpose of giving on the one hand to the ordinary citizen a direct opportunity of participating in sovereignty by co-operating with the executive, and on the other hand of providing the executive with a valuable opportunity of winning fresh popular consent and support. But such consultative committees are still in a very anomalous position, and too often they have no approved standing. Both the personnel of such committees as well as the subjects referred to them are still dominated far too much by the varying accident of the discretion of the governmental authority concerned in each case. In order to ensure that public needs are truly interpreted and adequately met by those in authority, it is necessary that non-official consultative committees should be made both an integral part of the normal organization of the various departments of the State and representative of all sections and interests.

Even if all these precautionary measures were taken without impairing the ultimate right and responsibility of the executive in the State to formulate its policies and

devise ways and means of giving effect to them, it is extremely doubtful if they would be adequate to ensure the real sovereignty of the people. The ultimate source of the difficulty of achieving effective popular sovereignty arises not so much from any intrinsic obscurity in the problems to be solved, as from their remoteness and complexity resulting from the size of the modern State and the highly centralized character of its political institutions. In autocratic times it was possible, as in China, to administer large areas and vast populations from one central place through a hierarchy of officials trained in the art of carrying out orders issued to them by those in authority. But that kind of unitary and centralized administrative machinery is wholly unsuitable to embody the spirit of democratic sovereignty. It is really an anachronism inherited from pre-democratic types of administration. If the sovereignty of the people is to gain substance and reality, decentralization of authority and devolution of functions are absolutely necessary; and the big modern States that have come down to us from autocratic times must be broken up into conveniently small self-governing areas federated to co-operate towards a common end. This is perhaps the most urgent need of democracy in our day, and until this is accomplished the ordinary average citizen will never be able to take his or her own due share, or even a really intelligent part, in determining the trend of public affairs.

Such is the democratic ideal of popular government, and it is still largely a dream waiting to come into its own and find actual and adequate embodiment in suitable political institutions. Historically different States are endeavouring, with varying degrees of success or failure, to attain such an ideal commonwealth of the spirit; and the best form of government will actually be that which ensures the fullest possible embodiment and expression of this sublime end of

freedom and security for the realization of which alone political authorities exist. Even the most advanced democratic countries of our day are still hampered by institutions and traditions that they have inherited from a pre-democratic period of their national history; and they are struggling in diverse ways to modify and adapt them to democratic needs in order to eliminate the risk of possible tyranny on the part of the executive or any particular section in the State, and to ensure that all classes and interests, majorities as well as minorities, contribute their quota to the life of the State.

For the present purpose it will suffice to point out that democracy or popular sovereignty is not so much an existing form of government—one among many other forms of government known to history—but it is itself the very ideal of government. It is not a national idiosyncrasy or ethnic peculiarity confined to any one country or race, but is a grand human good to be shared by all. It is the supremely desirable form of government, to be preferred to other and lesser forms, because in it alone all members of the community are at once both sovereign and subject, and are given the opportunity of contributing their several gifts towards the fullness of the corporate life of the State.

But this does not mean that always and everywhere this modern ideal of free responsible government will organize and express itself in identical ways, forms, or institutions. Though the central and essential idea and ideal of political power being responsible to the people over whom it is exercised will be common to all States that are really free, yet this freedom and responsibility may be realized in different ways and through varying machinery. The following chapters will discuss and determine in what shape and form this can be ensured for the many peoples of modern India.

Chapter III

MODERN INDIAN CONDITIONS

IN the last chapter an attempt was made to determine the inward essence and implications of the modern ideal of democratic sovereignty, so that it may not be confused with any of the accidental and varying forms in which it has found imperfect expression from time to time. It is now proposed to describe briefly in the present chapter the outstanding features of the peculiar and complicated conditions of modern Indian life; so that in succeeding chapters the precise shape and form that will be best suited for the realization of democratic sovereignty under Indian conditions may be determined in broad outline.

What is there about India that makes it the biggest problem that ever faced constructive statesmanship? The unparalleled contrasts in physical features, climatic conditions, economic resources, ethnic affinities, manners, customs, traditions, beliefs, and cultures of the millions that live in India make her of unique interest and value to the scientific student of human affairs. Apart from the obvious facts of the geographical position of India, with its clear-cut and impressive land and sea frontiers, its immense area and vast population, there are other and subtler factors arising from the endless diversity of ethnic and cultural elements with varying historical antecedents and backgrounds in the composition of the Indian peoples. If area was all that mattered, then the U.S.S.R., embracing half Europe and half Asia in one, might be a bigger problem than India. If numbers were all that mattered, then China with its enormous and more homogeneous population might well take precedence of India.

Though India be smaller in area than the U.S.S.R., and though her population be inferior in numbers to that of China, yet she presents the bigger problem because of the bewildering diversity of her peoples.

There survive in India some aboriginal people who undoubtedly belong to a primitive, black-skinned, thick-lipped, curly-haired negroid stock. On the other hand the vast majority of the people now inhabiting the country are the descendants of invaders who came to conquer but stayed to live. Most of them belong to the same great Aryan stock to which the nations of Western Europe belong. In some parts, especially in Bengal and the north, there are people whose high cheek-bones, slanting eyes, and yellow complexion reveal an unmistakable Mongolian origin. Besides the major Dravidian, Aryan, and Mongolian emigrations into India, the Alexandrian invasion, the endless influx of Central Asian tribes, the long series of Muslim conquests, the peaceful entry of Jews, primitive Christians, Iranians in quest of religious toleration, and of others for commercial and other purposes, have all contributed in their several measure to the unparalleled wealth and variety of national life in India. Lastly the advent of European nations—the Portuguese, the Dutch, the French, and the British—has brought East and West into contact on a vaster scale and in a more intimate way than ever before or anywhere else. Who can deny what untold possibilities for good may emerge from the inevitable interaction of these several elements in the daily life of modern India? The situation is of the most thrilling interest and full of promise. Each invasion which at the time must have seemed a dire calamity, has become transformed in historical perspective into the birth pangs of a new and higher national life. They have all contributed in varied ways to the enrichment of Indian life,

and through them all one can trace a golden thread of continuity and development, which may prove of world-wide significance and value.

Besides this initial cleavage arising from racial origins, there is a further diversity of religious belief and cultural outlook. India is in reality one vast living museum of peoples and religions representing every stage of development from the most primitive right up to the most civilized types. The most outstanding of these contrasts is the well-known antithesis between the Hindu and the Muhammadan. These two differ radically and fundamentally in their basic beliefs and ultimate attitudes towards life, as well as in less important matters of outward apparel and manners and modes of living. According to the latest census figures, although Indian Muhammadans number over 77 $\frac{3}{4}$ millions, yet as they are scattered and in a minority in most Provinces as against the Hindus who number over 238 $\frac{1}{4}$ millions, the Muhammadan community in India is naturally apprehensive of its interests, and is seeking for safeguards and preferential treatment in order to protect itself.

Apart from the Muhammadans, there is a strong and very progressive Christian element which has increased during the last decade by nearly 33 per cent. and almost reached 6 millions in numbers. Its origins in India can be traced to the earliest centuries of the Christian era, and it can claim a greater antiquity in Indian soil than either Islam, which came centuries later, or modern Hinduism which is post-Buddhistic. Though Buddhism was for centuries the dominant religion in the country, it has long since ceased to be the national religion in the land of its birth, but it remains so in Burma and still has a considerable following among the Mongoloid peoples that dwell along the northern frontiers of India.

Apart from this religious diversity which cuts deep into Indian national life, there are other cleavages within Hindu society itself owing to the peculiar Hindu institution of caste or hereditary social status. Besides the four main orthodox castes, each with its numerous subdivisions which claim Aryan descent, there are the many millions of outcasts known as the Depressed Classes who are the descendants of various non-Aryan peoples who were subjugated by the Aryan invaders. These people are denied the elementary rights of human beings to this very day, in spite of over a century and a half of British rule; the reason being that as the Government is pledged to religious neutrality it will not interfere with a social institution based on religious scruples. In spite of mild protests against the tyranny and oppression involved in the Hindu social system on the part of genuine social reformers and politicians who see the glaring inconsistency of asking for freedom for themselves when they deny even elementary human rights to others, it still remains an open scandal in the twentieth century that millions of people should be cursed to live in such degradation. So it is not surprising that their spokesmen should demand safeguards for themselves as against possible abuse of power on the part of their hereditary oppressors.¹

In addition to these cleavages which are peculiar to Indian conditions, there exist startling economic contrasts between rich hereditary landlords and zamindars, wealthy merchant princes, captains of industry, and money-lenders, who form a small but very influential percentage of the population on the one hand, and the vast masses of their impoverished tenants and clients on the other. India is indeed a house divided against itself.

For centuries these people have been content to be

¹ See note on 'Untouchability' at the end of this chapter.

governed or mis-governed by whosoever happened to be strong enough to conquer and exercise rule over them, and they have patiently endured oppression and tyranny without even a protest. British rule in India, which has lasted now for over a century and a half, has done effective police duty in India by guarding the frontiers from invasion from outside and by keeping the warring elements in Indian life from tearing one another to pieces. It has been on the whole a benevolent despotism which has not only tried with remarkable success to keep the public peace, to protect person and property, and to maintain law and order, but it has also made great efforts to provide and promote facilities for irrigation, inter-communication, education, sanitation, medical aid, and other works of public utility.

Recently attempts have been made gradually to introduce a certain measure of popular representation into the bureaucratic administrative machinery of the country, beginning with local bodies like municipalities, taluq boards, and district councils, and ending with the provincial and national legislative councils. In spite of it, it remains true that Indian administration is far too top-heavy and official-ridden, with the result that the development of self-governing institutions is disappointingly slow and far from satisfactory. Protests were beginning to be heard that the appointment of civil servants as presidents of local bodies and the use made of nomination instead of election in constituting these bodies, had stifled their free life and degraded them into departments run by the administration. Further it was seen that the provincial and central legislative councils were ineffective advisory bodies and not representative and responsible legislatures.

The victory of Great Britain and the allied Powers over the autocratic empires of Germany, Austro-Hungary,

and Turkey in the great World War of 1914-18 brought in its train many sudden and far-reaching changes, especially in modern ideas of government and peoples' rights. It has made the principles of nationalism and self-determination the generally accepted commonplaces of political thought in our day. Almost at a stroke the whole of Europe adopted democratic forms of government with manhood suffrage or complete adult suffrage, with hardly any time to reflect or experiment before being committed to so momentous a change. In Great Britain, where universal suffrage had been the subject of bitter controversy before the War, it was adopted after the War without any dispute. Indeed the wave of democratic enthusiasm went so far that boys under twenty-one years of age were given the vote and raised to the status of citizenship, provided they had served abroad in an expeditionary force. Many peoples who had long remained in political subjection were freed at last and began to live their own lives as independent nations. Though at the close of the Great War the Montagu-Chelmsford scheme of reforms hastily introduced a novel system of experimenting with a certain amount of responsible government in the various provinces of India in the form of what is known as diarchy, India still remains the most outstanding example of a great nation in political subjection surviving in the modern world. So it is not surprising to find a strong and rapidly growing demand on the part of educated Indians for Indian independence. But as yet this has been voiced only by the more advanced section of the community claiming to speak for all; and the Indian National Congress is its organ and Mahatma Gandhi its undisputed leader and best-known spokesman to the outside world.

But there is really no serious difference of opinion between the British Government and Indian leaders as to

the ultimate goal of India's political destiny. It was laid down in the Preamble to the 1919 Government of India Act that the goal of British policy in India is complete self-government within the Empire. It is true that more recently the Indian National Congress has declared that nothing short of complete independence would satisfy Indian political aspirations. But this does not and need not imply any serious or irreconcilable contradiction between the declared goal of British policy and that formulated by the Congress.

The memorable announcement made by Lord Irwin on behalf of His Majesty's Government on the 1st of November 1929, interpreting the goal of British policy in India as 'full Dominion status', has done much to make the issue between Government and the Congress more or less unreal. While it is true that the term 'Dominion status' has slightly varying connotations in its application to different self-governing dominions, there is no real room for doubt as to its implication of complete internal autonomy or right of self-determination, including the right of severing if need be the relation to the Commonwealth of the Empire. This meets in essence all that the Indian National Congress has ever wanted, namely, freedom from foreign domination or British control, and the right of Indians to be architects of their own national destiny. Even Mahatma Gandhi, the accredited spokesman of the Congress, has stated in significant language that the goal of India's endeavour is 'the substance of Independence'. The obvious implication of this term is that the actual form of independence is a minor matter of comparative indifference, that is, that the Congress will be content that India should remain a partner in the British Commonwealth of Nations, provided 'the substance of Independence' is conceded to her.

But so far the goal of Indian independence seems to have been conceived in rather negative terms as release from British control and freedom from alien domination, than in positive terms as to what its nature and contents should be, if it is to mean real liberty to all sections and interests in the country without fear or favour. There is a pathetic inconsistency in the talk of Indian independence or full Dominion status coupled with certain guarantees or safeguards. It seems self-contradictory to contemplate complete self-determination for India and at the same time to expect on the other hand Britain to provide guarantees for minorities and safeguards against a breakdown of the constitution. In the Gandhi-Irwin pact an attempt was made to gloss over this glaring contradiction by stipulating that the safeguards are to be merely transitory, and to be only those which can be clearly shown to be necessary in India's own interests. More recently, since arriving in England, Mahatma Gandhi has added, 'I do not conceive a single safeguard that will be only in the interests of India, not a single safeguard that will not be also in the interests of Great Britain, providing that we contemplate a partnership, a partnership at will, but a partnership on absolutely equal terms.' Even so it amounts at best only to a mask hiding from one's view the inherent inconsistency in the situation. In so far as Britain has to do any guaranteeing or safeguarding, however transitory and in the interests of India herself it may be, to that extent it is tantamount to an admission that India is unfit to rule herself.

On the contrary, if it be claimed that India is really fit to rule herself, then there should be no need or room for any further talk about safeguards or guarantees from outside. It is impossible to escape the logic of this contradiction. On the one hand, no responsible person will now question the right of a people to real freedom and complete

self-determination; but all who know existing conditions in India, including the most advanced Indian Nationalists from Mahatma Gandhi downwards, recognize in more or less measure the need for effective safeguards in the interests of India herself. How can these two mutually incompatible but equally necessary elements of complete freedom and effective safeguards be harmonized in the new Indian constitution? Therein lies the real crux of the Indian political problem.

So far, Indian political leaders and British statesmen alike are obsessed with old presuppositions and are dealing with this problem on established traditional lines by covering up the real issues at stake and by trying as hitherto to tide over the immediate difficulty by setting up some temporary compromise or patchwork in which a certain amount of Indian self-determination is expected to co-exist and thrive side by side with a limited amount of British control. In whatever shape or form this be done and by whatever name it be called, in essence it is nothing but the same much-condemned device of diarchy with its principle of divided responsibility over again. The experience of diarchy during the last decade in India has shown that in actual practice it leads to endless friction, with the result that neither side is really satisfied with it in the long run. Along such lines, then, there is no hope or chance of a real and lasting solution of the Indian problem. Hence what is urgently needed now is a completely new outlook and a fresh approach, which will lead to an illuminating analysis of the intricacies of the problem and a satisfactory and enduring solution of it.

It is the fundamental contention of this treatise that the only way in which adequate guarantees and real safeguards can ultimately be made consistent with complete self-determination is by devising a self-contained system of

internal mutual checks within India herself out of her own hitherto warring elements, rather than by any expedient of a merely external control from Britain. Instead of asking or expecting Britain to step in from outside, and undertake to discharge the thankless job of doing police duty by watching over the different elements in India, it is desirable and feasible to group the conflicting elements within India herself in such a way as to produce a self-contained system of internal checks; this will enable every section of the community to keep vigilant watch over, and do police duty towards, possible aggression on the part of the others. In this way alone could complete freedom and effective safeguards be reconciled without contradiction; and it would indeed be a task worthy of constructive statesmanship. Nothing short of this would be adequate to the needs of the situation. If the foundations of such a truly self-contained freedom with balanced internal checks and safeguards were well and truly laid in India by the concerted action of Indian and British statesmanship, then alone would real freedom and effective security be ensured for all classes of people in India, and Britain could rest assured of the enduring willing co-operation of India as a grateful and loyal partner in the great commonwealth of free nations known as the British Empire. Is it within the limits of possibility that this can be accomplished, and if so, along what lines and in what manner should such a unique and stupendous structure of freedom and security be designed and erected?

It has till now been generally assumed by all concerned, Indian and British alike, that the deep communal cleavages and endless clash of interests in India compose an unmitigated evil which is the root cause of her chronic weakness and inability to stand on her own legs as a free nation. But the whole argument of this treatise is inspired throughout

by the firm conviction that however inconvenient for the time being the diversity and clash of interests in India may be, yet, viewed from the higher standpoint of the scientific student of history, they will be radically transformed in character and be seen to be the providentially fore-ordained means to enable India to attain to a more sublime and unique destiny than is possible for any other country with a more homogeneous population.

Untouchability

There exists widespread misconception as to the real nature and meaning of the peculiar Hindu institution of 'untouchability'. Who are these untouchable outcastes? Why have they so long and so persistently been deemed, by their own co-religionists, as not merely degraded in status, but as literally untouchable? The institution as such has no parallel anywhere else in the world. Superficial observers have sought to interpret it by analogy as an extreme case either of the class distinctions that prevail among other peoples or of the colour prejudices that exist elsewhere. As the Hindu name for caste is 'varuna', meaning colour, there is undoubtedly support for the view that Hindu caste originated in colour prejudice and became identified in the course of time with the actual distribution of status and functions in the organized life of Hindu society. But whatever its historic origins in the remote past may have been, and though it comprehends all those elements to this day, its persistence and peculiar hold on the Hindu mind is due to the fact that it has struck other and deeper roots, which must be unearthed if one is to come to grips with it. These other and deeper roots of the Hindu institution of 'untouchability' are psychological, moral, metaphysical, and religious.

This is not the place to deal with these considerations. It will suffice to point out here that the real analogy for Hindu 'untouchability' in the experience of other peoples will be found not so much in economic, social, and political cleavages, but in those hidden semi-articulate elemental psychological emotions of abhorrence, aversion, hatred that people experience towards certain horrible crimes and the people who perpetrate them. The Hindu attitude towards the untouchable is not due to any unnatural hardness of heart or innate cruelty, but to a profound conviction in the unexorable moral law of retribution and belief in reincarnation. On the Hindu view there is no room for escape from the consequences of one's actions through any backdoor of forgiveness, here or hereafter; but that the consequences of actions, good as well as bad, must be endured; and that people are born into this world with their nature, status, endowments, and opportunities all fixed inevitably with mathematical precision in strict accordance with the quality and quantity of their 'karma' or actions in prior embodiments. The consequences of evil pursue the doer beyond physical death and compel rebirth in degraded forms till they are all expiated; and similarly the effects of good done pursue the doers beyond death and determine rebirth in better forms and more favoured surroundings, which they have earned by sheer merit. Such a belief is calculated to perpetuate the *status quo* and to discourage any effort for social betterment or democratic reform. But to the Hindu mind the law of karma and reincarnation with its consequences of 'untouchability' seems axiomatic and unassailable. A whole century and a half of British rule has been unable to uproot or even mitigate its consequences in the life of the millions who are directly affected by it. On the contrary British authorities, whatever their own personal

sympathies may be, have had to side with Hindu orthodoxy and uphold established custom by using the forces of the State to prevent untouchables from entering Hindu temples and in other ways. This is a neat example of how the well intentioned British policy of religious neutrality has worked out in actual practice.

Chapter IV

THE FRANCHISE PROBLEM

IF a successful effort is to be made to establish free institutions in India, one must begin not at the top with remote questions of the composition and powers of the federal assemblies and the provincial legislatures, but at the bottom with the fundamental problem of franchise. The question of franchise lies necessarily at the very root of the Indian constitutional problem and the issues involved in it must be frankly faced if one is to make any satisfactory headway at all. This is the real crux of the Indian constitutional problem, compared with which all other issues, including the communal question and the problem of defence, pale into insignificance. By a strange irony of circumstance this all-important problem of franchise seems as yet hardly to have received the attention it deserves.

All the systems of reform so far introduced into India and all the schemes of reform now contemplated, have begun at the wrong end; they have tried to introduce freedom and responsibility as it were from the top, expecting it to filter downwards, instead of beginning at the bottom and building up an edifice of national freedom on sure and safe foundations. Contemporary Indian political literature, official and non-official alike, as well as the discussions at the Round Table Conference, seem to be obsessed with such secondary questions as the size, composition, and powers of cabinets and legislatures, of upper and lower chambers, of the precise ratio of representation to major and minor Indian States with their several sovereign rights, and to the various communities in British India with their respective vested interests. It is infinitely more important

and urgent to begin at the bottom with the question of how the dumb, poverty-stricken millions of India who live their humdrum life in ignorance and without ambition are to be worked into any system of popular government. So no apology is needed for setting out with the question of franchise as the first problem to be solved if any real headway is to be made at all. This treatise is inspired from start to finish with the conviction that if this initial difficulty is frankly faced and successfully overcome, it will provide the key for the solution of all the other problems involved in the Indian constitutional question.

Here it may be urged that any real advance in the establishment of self-governing institutions implies an educated electorate with a developed political instinct and a live interest in public affairs, which is precisely what is lacking in India. Indeed, one may go even further and contend that the results of experiments in local self-government and representative institutions already tried during the last few decades of British rule in India are far from encouraging. On the existing franchise in India, which was introduced just over ten years ago, only a little more than $2\frac{1}{2}$ per cent. of the entire population are entitled to the vote. Though there has been a steady increase in the percentage of enfranchised persons actually going to the polls in the successive elections that have been since held, still a very large percentage of those who have the right to vote do not care to exercise their right when elections are held. And often those who do exercise their right do so more because they are whipped up by the supporters of some interested candidate seeking election, than because they are moved by any genuine interest in public affairs. Curiously enough, the percentage of voting in the more backward areas has been found to be surprisingly higher on the whole than the percentage of voting in the urban and

more advanced areas. This is explicable because of the power and influence of landed proprietors over their tenants and of money-lenders over their clients in the backward areas, whereas the greater independence of the voter prevents such abuse at any rate on the same scale in the urban and more advanced areas. This is true not only of elections to the central and provincial legislatures, but also of smaller elections to municipalities and local boards. If this is the case with the comparatively small number who have the franchise now, what about the blank ignorance and apathy of the vast masses of the Indian population who have never yet had the franchise and have not the faintest idea of what it means or how it is to be exercised?

On such and similar grounds the complacent conclusion has been readily drawn in some quarters that the Indian nationalist demand is entirely unwarranted, because over 97 per cent. of the people of the country are as yet uninterested in and unfit for popular government. But such a conclusion affords no practical solution of the problem and leads nowhere. The urgent practical question of how these people are to be stimulated to take an interest in public affairs and what immediate steps may be taken to train them for responsibility still remains as insistent as ever. It would be a great indictment of British rule in India if, after 150 years of it, the masses of the Indian people were not yet ready even to begin to take an interest in public affairs and develop a sense of civic responsibility.

Such a state of affairs is the inevitable result of autocratic rule, even though the autocracy be a benevolent one such as the British-Indian Government has undoubtedly tried to be. Even so it has accomplished the easier task of doing things for others instead of attempting the more difficult but truly statesmanlike task of training the people

to do things for themselves. So it is not surprising that though British administrators have perhaps never been more anxious and done more for the material and moral welfare of the Indian peoples than they are doing to-day, yet never has there been less appreciation and response from the people than now. This proves that goodwill and strenuous efforts made to express that goodwill are inadequate in India, or indeed anywhere, to create and sustain the hearty response and co-operation between the rulers and the ruled which are indispensable for good government. It cannot be seriously argued that lack of appreciation and response is always due to sheer blank apathy and inertia on the part of the people concerned. On the contrary, it is far more likely to be due to the grievous lack of means and incentive for freedom of self-expression. This is not a peculiar Indian phenomenon and is not unknown elsewhere.

There exists a clear-cut division between rulers and ruled everywhere; but in India perhaps more than anywhere else there exists in this respect a wider and deeper unfilled chasm, which urgently needs to be bridged by a suitably devised constitutional mechanism. It must not be imagined for one moment that this can be accomplished by any such simple means as the withdrawal of British control and the substitution of an Indian bureaucracy for a British bureaucracy. Even if that were done, the problem would still remain, perhaps if anything, in a more aggravated form, because of the withdrawal of Britain's strong neutral arm. The root cause of the trouble does not lie in the accident of the rulers being British and the people being Indian, but it must be sought and found far deeper in the whole autocratic system of administration which holds rulers and ruled alike helpless in its grip.

Nor is it any use to urge that as this state of affairs

has to be remedied, as the system needs to be radically changed and as the masses of the people are unfit for responsibility, that therefore political power must be confined, at any rate to start with, in the hands of a few landed proprietors or the wealthier and more educated classes. That would mean the establishment not of freedom but of intolérable tyranny in India, for it would still leave the great masses of the Indian people unenfranchised and at the mercy of the exclusive upper classes. How is this terrible risk of tyranny to be eliminated, and how are the ignorant masses to be quickened with interest and endowed with knowledge and ability to shoulder responsibility and to share in political power?

On this question of popular franchise two opposite views may be clearly distinguished. There are some who on general theoretical grounds adhere to the ideal of adult franchise and hold that nothing short of the entire adult population is good enough to be the foundation of the free state; but they are unable to suggest ways and means of improving electoral machinery to cope with the practical difficulties of suddenly enfranchising millions of illiterate people.

Others take the opposite view that if people with hardly any interest, knowledge, or capacity and little or no stake in the country were enfranchised indiscriminately, it would spell disaster for all alike; and so they urge a limited franchise on a property or rental qualification or educational test as alone practical at any rate to start with, leaving further extensions of the franchise to depend on future developments. But the great danger of such restriction is that it leaves the vast majority of the population, including millions of people who are to this day regarded as social outcasts, unenfranchised and at the mercy of the enfranchised minority.

The Montagu-Chelmsford Report recommended that the system of indirect election which had been in vogue in India should be swept away as it was found to be thoroughly unsatisfactory, and that a system of direct election should be introduced in its place with a franchise as wide as possible. The joint authors of that Report proposed that a special committee should be appointed to ascertain what sort of franchise would be suited to Indian conditions, and how interests that might be unable to find representation in constituencies were to be represented. With reference to the task of the Committee they say:

‘We consider that the limitations of the franchise, which it is obviously desirable to make as broad as possible, should be determined rather with reference to practical difficulties than to any *a priori* considerations as to the degree of education or amount of income which may be held to constitute a qualification. It is possible that owing to unequal distribution of population and wealth it may be necessary to differentiate the qualifications for a vote not merely between Provinces, but between different parts of the same Province. It is essential to take due account of the problems involved in the maintenance of an electoral roll, the attendance of voters at a polling centre, the danger of impersonation, and the subsequent adjudication of electoral petitions. On these considerations the strength of the official and non-official agency which could be made available for electoral purposes throughout the country has an important bearing, and warns us against any such inordinate and sudden extension of the franchise as might lead to a breakdown of the machinery through sheer weight of numbers.’ (Paragraph 226 of the Report.)

The Southborough Franchise Committee endeavoured to carry out these instructions in detail with reference to the circumstances of each Province, and to ‘measure the number of persons who can in the different parts of the country be reasonably entrusted with the duties of citizenship’. The qualifications for the vote proposed by the Committee were first, residence in a constituency, and

second, the possession of certain property qualifications as evidenced by the payment of a small land revenue, rent, or local rates in rural areas and of municipal rates in urban areas, and of income-tax generally. To this was added a different basis for franchise, namely, that a certain form of military service to the State should also count as a qualification for the vote, and accordingly all retired and pensioned officers of the Indian Army, commissioned and non-commissioned, were given the franchise.

The committee estimated that a franchise on the lines worked out in the schedule to their report would yield a little over 5 million voters, excluding Burma, i.e. about 2 per cent. of the population of the electoral areas. The chief considerations that prevailed with the Committee in deciding on the minimum property qualification as the main basis for franchise are described as follows:

"The large proportion of illiterate voters may no doubt cause practical difficulty: but the problem is not a new one in India, and a similar problem has already been faced with success in municipal elections by the use of coloured ballot boxes and other like devices. We are satisfied that a considerable amount of non-official assistance from honorary magistrates and other persons of local position will be available to assist the officers of government in working the electoral machinery. We have not thought fit to impose any literacy test, although this course was urged by some witnesses, since this would exclude many electors who are competent to manage their own affairs. Nor have we sought to attain uniformity in the standard of property qualification for the various Provinces. We have relied largely upon the local experience of the government witnesses who appeared before us and have not hesitated to recommend differing qualifications even within the same Province where we were satisfied that social and economic differences justified the discrimination. We have, however, proposed the same qualification for all communities within the same area, although this will enfranchise a smaller proportion of Mohamedans than of non-Mohamedans. We consider that this is more desirable than to lower the qualification for a particular community. The qualifications adopted by us will result in enfranchising

a substantially higher proportion of the urban than of the rural population, a result which we believe to be justified by the higher standard of wealth and intelligence in the towns.' (Paragraph 10 of Southborough Committee's Report.)

The existing franchise which has conferred the vote on less than 3 per cent. of the population is far too limited to provide the basis for any adequate scheme of responsible government. Also, it has produced the anomalous result of conferring the franchise on several people who are illiterate, while at the same time denying the vote to considerable numbers of adult literates. This is proved by the significant fact that the total number of registered electors is smaller than the total number of adult literates recorded in the census. This is explicable because, according to the Indian joint family system, junior members of the family, however high their social status or educational qualification, often have no property in their own names and pay no qualifying tax or rates in their own right, and thus become excluded from the franchise. Apart from this anomaly, the adoption of a property qualification as the general basis for franchise resulted in giving undue predominance, amounting in certain cases to a monopoly of the vote, to certain propertied and moneyed classes.

For example, in the Central Provinces the educated Brahmins and the moneyed banias have in proportion to their number about 100 times as many votes as the out-caste Mahars. The general body of the poor are completely excluded from the franchise. Though an option was given to provincial legislatures to enfranchise women on the same conditions as men, and though this option has been exercised and the franchise extended in theory to women in different Provinces, yet in practice they are almost wholly excluded, because women in India do not

ordinarily own property or pay taxes or rates in their own right or name. Besides, on the existing franchise, the Depressed Classes in the Madras Presidency, who number $15\frac{1}{2}$ per cent. of the population, constitute only just above 4 per cent. of the electorate, while in the Bombay Presidency they form 8 per cent. of the population, they are only 2 per cent. of the electorate. And even in urban areas, where a higher proportion of voters were ensured, the labourers, who mostly belong to the Depressed Classes and are very poor and have no permanent residence in any one constituency, entirely fail to qualify for the vote.

The Joint Select Committee of both Houses of Parliament, while it urged that there should be no alteration in the franchise for the first decade, yet stressed the need for enlarging the franchise before any further advance in responsible government can be made. It said:

'In the present circumstances of India, the electorate must at the outset be small and the administrative experience of its representatives must be limited. Before, therefore, the policy of His Majesty's Government can be fulfilled, the electorate must grow, and practical experience in the conduct of public affairs must be enlarged.'¹

The Simon Commission was of opinion that though practical considerations of men and money make any large and sudden extension of the franchise unworkable and administratively impossible, yet there should now be effected a reasonable extension of the franchise, with provision for a greater extension after a further interval. For this purpose they proposed that a new Franchise Committee should be set up, with instructions to frame an electoral scheme that would enfranchise immediately about 10 per cent. of the total population (more than treble the present number of voters), devising such qualifications as would secure, as far as possible, the same proportion of

¹ *Vide* paragraph 3 of its Report.

voters to population in different communities. They suggested that the introduction of an additional qualification for the vote based on education independently of property, both for men and women, might be considered if it were at all administratively possible to cope with the numbers that this would enfranchise; as for example by putting on the electoral roll at the age of twenty-one all who hold a certificate of having completed the primary school course.

Besides, in order to enfranchise a greater number of women, they suggested as additional qualifications for women voters (1) being the wife, over twenty-five years of age, of a man who has a property qualification to vote, and (2) being a widow over that age, whose husband at the time of his death was so qualified. The practical effect of the Simon proposals would still leave political power in the hands of more or less the same propertied or moneyed and educated classes as at present. They had nothing to suggest towards the enfranchising of the remaining 90 per cent. of the population beyond saying that it might be left to the provincial legislatures to be newly set up and that Parliament should provide means for ensuring that these bodies will in time widen their franchise. To ensure that political power does not become monopolized in the hands of an exclusive oligarchy, a second Franchise Committee is to be appointed after fifteen years to review the situation and devise means to accelerate the pace of enfranchisement. This is not only a clumsy and cumbrous expedient but unworkable in practice. The impracticability of the Statutory Commission's proposal for future extensions of the franchise consists in its entrusting this vitally important task to two totally different authorities, namely (1) leaving it to the autonomous Indian legislatures to be newly set up, and (2) at the same time saying that Parliament should provide means for

assuring that these bodies will in time widen the franchise. What is to happen if the two authorities do not see eye to eye?

Within India herself, both in Government and non-official Indian political circles, there is wide difference of opinion as to the practicability of any substantial extension of the franchise. Four out of eight Provincial Governments were unanimously opposed to any advance on the present franchise, and the majority of members of each of the other four Provincial Governments were of the same opinion. The Punjab Government alone recommended a substantial advance on the present franchise. The Committees of the provincial legislatures that co-operated with the Simon Commission were also very much divided in their opinion. Most of the members of these committees were content to leave the franchise as it stands. The Bengal, Bombay, and United Provinces Committees, and a majority of the Punjab Committee, recommended a lowering of qualifications for the vote, which might double or treble the present electorate. The Assam Committee proposed a vote for each occupied house or adult suffrage for all of twenty-five years and over, while the Depressed Classes representative of Bombay advocated franchise for all who are twenty-one years and over.

Among most of those who recommended extensions of the franchise, the ruling motive was rather a desire to secure what they deemed adequate representation for Muslims or untouchables or other minorities, than any real conviction as to the intrinsic desirability of the extension of the franchise; while most of those who opposed extension of the franchise belonged to privileged classes with vested interests. Apart from this, no one seems to have had anything to suggest towards educating the people in exercising the vote or ensuring that the quality of the councils would not degenerate through the sudden enfranchisement of ignorant and illiterate people.

The Nehru Committee proposed the immediate introduction of adult suffrage, which would involve a sudden leap from the present $6\frac{1}{2}$ million voters to over 100 million voters; but they did not discuss how the practical difficulty of providing adequate machinery to cope with such a large and sudden extension of the franchise is to be overcome. The colossal task of coping with millions of illiterate voters, to whom the ballot box is an absolute novelty and its implications entirely unknown, and the need for special arrangements if all women as well as men had the right to vote, would demand a gigantic army of competent returning officers and a skilled staff which simply do not exist and which it would take many generations to create.

The Round Table Conference, which assembled in London in November 1930 in order to discuss the future constitution of India, set up nine sub-committees for dealing with various aspects of the Indian problem. Of these, Sub-Committee No. VI was appointed to deal with the question of franchise and to recommend 'on what principles is the franchise to be based for men and women'. It consisted of thirty-five members of the Conference with Sir William Jowitt as Chairman. While other sub-committees, like those dealing with federal structure and minorities, met for several days and weeks, this Sub-Committee No. VI, dealing with the far more important and difficult problem of franchise, completed its deliberations in four days and submitted its report, which was accepted by the whole Conference. This perhaps accounts for so little having been heard by the outside world of Round Table deliberations on franchise, while so much has been heard about other things. The positive recommendations concerning franchise contained in it may be summarized as follows:

1. Adult suffrage should be the goal that should ultimately be attained.

2. Meanwhile, a large increase in voters is immediately desirable, and so the basis of franchise should be broadened.

3. An expert franchise committee should be appointed, with instructions to provide for the immediate increase of the electorate by no less than 10 per cent., but not more than 25 per cent., as may be found on investigation to be practicable and desirable.

4. In addition, the franchise committee should consider the introduction of a scheme by which adults not entitled to a direct vote would be grouped together in primary groups of about twenty, or in some other suitable manner, for the election of one representative member from each group. This member would be entitled to vote in the provincial elections either in the same constituencies as the directly qualified voters or in separate constituencies to be formed for them.

5. The franchise qualifications should be the same for all communities, but they should be so contrived as to secure as nearly as possible for each community a voting strength proportional to its numbers.

6. There should be a property qualification for the franchise, the word property being understood in this connexion in its widest sense as including not only ownership of landed property, but also occupation of land or house as well as receipt of income or wages in cash or kind.

7. In addition, the possibility of framing a suitable educational qualification, as far as consistent with the latter part of recommendation 5 above, should be considered.

8. The existing military qualification for the vote should be retained and extended so as to include service in the auxiliary and territorial forces.

9. Special franchise qualifications for women should be prescribed so as to entitle a larger number of women to vote.

10. Efforts should be made to remove any marked

disparity as might exist in the operation of franchise qualifications in urban as compared with rural areas.

11. The residential qualification for the vote demanded by existing electoral rules should be abolished.

12. No programme of automatic extension of the franchise should be laid down, but it should be left to each provincial legislature to extend the franchise at its discretion after the lapse of ten years from the introduction of the new constitution.

The above Round Table Conference recommendations represent an advance not only on the existing meagre franchise in India, but also on the 10 per cent. increase of that franchise, which was all that the Simon Commission felt itself able to recommend. But there is no avoiding the result that even if it be found practicable to give effect to the entire body of the Round Table franchise recommendations enumerated above, it would still leave 75 per cent. of the Indian peoples without any share whatsoever in the shaping of their own destiny and at the mercy of the propertied and literate upper classes. The illiterate poverty-stricken submerged masses will in no way directly share in the freedom that is to be established; and the ideal of adult suffrage mentioned in the forefront of the Round Table franchise recommendations will still remain a far-off unrealized dream.

It has been assumed that nothing can be done to give immediate effect to the ideal of adult suffrage in any shape or form, and that therefore the only thing to do is to extend the existing franchise as widely as seems practicable, hoping that in due course the various provincial legislatures to be now set up will extend it still further. The principle laid down in the first part of recommendation 5—that the franchise qualifications should be the same for all—is inconsistent with the principle of securing for each

community a voting strength proportional to its numbers laid down in the latter part of the same recommendation and with the special qualifications proposed for women in recommendation 9. The property and literacy qualifications enumerated in recommendations 6 and 7 as the general basis of the franchise are ominous, as they will tend to leave political power concentrated in the hands of the propertied and literate classes. The ingenious idea of extending it to others by grouping persons not qualified for direct vote in primary groups of about twenty for choosing a representative to vote in their behalf, contained in recommendation 4, is too indirect a process and too clumsy an expedient to have any educative or other value. However well-intentioned these recommendations may be, they are not only grievously inadequate to the actual needs of the Indian situation, but their hope for the future is foredoomed to failure because their inevitable result will be to hand over political power in the country to a small minority with vested interests and to leave it to them at their discretion to extend it to others over whom they are now set to rule.

Any one who knows the traditional strength of caste prejudices and vested interests in India will realize how futile it is to trust to any spontaneous extension of the franchise taking place merely on the initiative of the now enfranchised classes represented in Indian legislatures.

Mahatma Gandhi has thrown out an interesting suggestion regarding franchise that merits notice. He proposes that the 700,000 villages in India and the several mohallas or wards in towns should be empowered to select representatives who will have the right to elect members for the provincial and national legislatures. It represents an attempt on his part to reach out towards the ideal of adult suffrage; but realizing the practical difficulties in the

way of giving effect to it under Indian conditions, he has sought to get round the difficulty through the device of indirect election. Apart from being open to all the recognized defects of a system of indirect election, it is liable under Indian conditions to grave abuse, because of the undue influence of literate, high caste, and propertied people over the illiterate, poverty-stricken, and heavily indebted masses.

In accordance with the Round Table Conference recommendation, an Indian Franchise Committee consisting of eighteen members, British and Indian, with the Marquess of Lothian as Chairman, was constituted within a few weeks of the adjournment of the second session of the Round Table Conference; and it commenced its work on the 1st of February 1932, completed it in three months, and presented a report to Parliament in May 1932. The Committee received the co-operation and help of all Provincial Governments in India and of committees composed of non-official representatives with a sprinkling of official members to whom official records were available. They themselves say that:

'Except in the case of one important political party we can confidently claim that we have had the assistance of all shades of opinion in India, and in the case of that party we have been assisted by the fact that its views on the subject under our consideration were already to a large extent on public record and they were taken into account in our deliberations' (*vide* paragraph 6 on p. 4 of the Lothian Report).

The Report itself consists of three parts. Part I is devoted to the discussion and determination of the general question of the basis of the franchise; Part II deals with the question of its application to various sections and interests in the Provinces, and Part III refers to the composition of the all-India Federal Assemblies. In Part I they review at length and reject various suggestions

for franchise that had been put forward under the following headings:

- (a) Adult Suffrage by direct voting.
- (b) Adult Suffrage by indirect voting.
- (c) Limited adult suffrage within certain specified ages.
- (d) Limited adult suffrage in large towns.
- (e) A system of household suffrage.
- (f) A system of individual voting by elected members of local boards.
- (g) A combination of direct and indirect systems of voting.

And then comes the disappointing conclusion that all they could do is to recommend the extension of the existing franchise based on property qualification by lowering the standard, and supplementing it by an educational test, so far as they deem it practicable. Besides the retention of existing military service qualifications, they recommend various forms of special representation so that no important section of the community may lack the means of expressing its needs and opinions. Though their inquiry and survey was far more comprehensive than that of the earlier Southborough Committee, yet their labours did not result in the discovery of any illuminating new basis for franchise in India, nor of any effective ways and means of ensuring that not merely all important classes are represented but actually share in sovereignty. (For a detailed summary and criticism of the Lothian Committee proposals, see Appendix A, p. 253.)

This survey of existing conditions and expert opinions on the suffrage question ought to suffice to point out the glaring contrast between the utterly inadequate proposals so far put forward and the true democratic ideal of popular sovereignty, and to convince one that the gulf between rulers and would-be rulers on the one hand and the ruled on the other hand, is nowhere greater than in the India

of to-day. The supreme question of Indian freedom is, how can this gulf be effectively bridged by an aptly devised mechanism? In what way or ways can Indian public opinion be created and made to organize and express itself intelligently? By what miracle can the blank ignorance, the appalling apathy, and the dumb inertia of the masses of the Indian people, that have kept them down through all centuries as the passive and helpless tools of irresponsible autocracies, by one stroke of consummate statesmanship be transformed and kindled into the radiant flame of knowledge, interest, and activity?

Though this state of affairs is graver and more serious in India than perhaps anywhere else in the world, yet the disease and the need for its cure is not a peculiarly Indian problem. It is indeed the central problem of democracy which confronts every country in varying form and measure. The very extent of the disease and the pressing need for a radical and effective remedy in India ought to provoke intensive research, and may prove the happy occasion for a true diagnosis of its root cause and the discovery of an effective means to remedy it, which may be of value to the whole world. For this, if for no other reason, it will be a colossal blunder to seek to transplant into the virgin soil of India representative institutions and systems of franchise in the actual shape and form in which they happen to exist and function in the countries of Western Europe and Northern America. The vast masses of the electors in those countries, in spite of their advanced literacy and the generations of political experience behind them, still betray an appalling ignorance and lack of appreciation of the real issues underlying the questions that come up periodically before them for decision. For this state of affairs the blame is generally put either upon democracy itself as inherently unsuitable for

efficient government or upon the backwardness and incapacity of the electors for the great responsibilities of popular sovereignty.

The root cause of the trouble is neither with the democratic ideal nor with the actual masses of the people, but with the inherent unsuitability of the actual political institutions through which the masses of people are expected to exercise their sovereignty. The institutions were built up in bygone days as the instruments of autocratic sovereignty and were never designed for democratic purposes. Thus they are either wholly or partly unsuited for the democratic needs of to-day. Without realizing this serious defect and devising the requisite suitable machinery, a wide national franchise in the form of either manhood suffrage or adult suffrage will not by itself ensure popular sovereignty. Every extension of the franchise without a corresponding correlation of it to the scope and functions of the political institutions which are its necessary instruments of action, is a potential source of danger to the true freedom and welfare of the citizens. Such uncritical and indiscriminate extensions of the franchise have taken place in recent times in several countries that claim to be democratic. This is the chief reason why democracy has not yet come to its own and found its feet anywhere in the world. Heroic efforts are even now being made in many advanced countries to modify their existing political machinery which they have inherited from the past in the light of their present needs. It is increasingly coming to be realized in our day that the idea of a strong unitary centralized government enforcing rigid uniformity from the top on all its several parts, is not only a fruitful source of international feuds, but also a menace to the freedom of its citizens. At best it represents only a half truth inherited from the days of autocratic domination, which

now urgently needs to be modified and supplemented by the reverse process of decentralization, involving the building up of strong self-governing smaller units of local administration which may be effectively federated and integrated into greater national unities for common purposes. In this way alone, by the effective correlation of democratic political authority in conveniently small areas to the actual interests and capacities of the people, can the glorious ideal of popular sovereignty and freedom be ever realized.

This method leads inevitably to a clear distinction everywhere between local sovereignty on the one hand and federal or national sovereignty on the other. For the immediate purposes of local sovereignty, adult suffrage is not only adequate but best suited. To the nature and extent to which local sovereignty becomes a reality, to that extent the federal or national government will become relieved of much work with which it is now burdened in the present anomalous state of affairs; and its scope of activities will become confined to the limited range of the inter-relations of its several self-governing units and matters of common interest or concern to them all. For this restricted purpose adult suffrage is neither necessary nor suitable, but a more restricted and select suffrage will be sufficient and better suited. But countries which have already hastily and indiscriminately committed themselves to adult suffrage for national purposes, will find it very hard to go back now to a more restricted and select national suffrage. If such be the case with countries reputed to be democratic there is no justification whatever for seeking to transplant into Indian soil highly centralized political institutions indiscriminately yoked to a wide popular franchise, such as are proving far from satisfactory even in the countries in which they prevail. Our efforts

to devise a suitable constitution for India are apt to be vitiated from the start by a natural tendency to be attracted by the outward glamour of institutions embracing large areas and vast populations, and the consequent failure to discriminate between the true inward essence of democratic sovereignty which alone is of universal value, and the mere outward and accidental forms and institutions in which it happens to be found embodied elsewhere and through which it is still struggling to realize itself.

Therefore if freedom is to be truly established in India, it is necessary to begin, not at the top with provincial and national legislatures and executives, but at the bottom with each village or natural unit of habitation as a real self-governing centre with authority and responsibility for the management of all its internal affairs. However illiterate and backward the Indian villagers may be, they are at least vitally interested in the betterment of conditions in their own village. In this lies a potential asset of untold possibilities for the constructive statesman. This natural interest of the Indian villager in the betterment of the immediate conditions under which he lives is the only fruitful soil in which the seed of self-government can be made to take real root and germinate and grow. This source has never as yet been properly tapped, and no real political use whatever has been made of it. Indian politicians and British administrators alike have been far too much obsessed with remote questions of 'provincial autonomy' and 'responsibility at the centre', which are of spectacular interest, to pay any adequate heed to the humble need for village autonomy. The much maligned illiterate and ignorant Indian villager lives now as he has done in all centuries of the past, the mere passive endurer of the results of policies

imposed upon him from above. It has been tacitly assumed on all hands that the ordinary Indian villager is permanently and incurably incapable of taking any intelligent interest or share in public affairs, at least for such long time as it will take for his becoming educated and able to read and write. This is an unjustified assumption which does scant justice to the natural common sense and practical capacity of the villagers to manage their own personal and family affairs. It is not sufficient to point to mere illiteracy as adequate ground for such a sweeping condemnation of a people who, however ignorant and illiterate they may be, are endowed with God-given common sense and are the inheritors of ancient culture. After all, a training in reading, writing, and arithmetic, which elementary schools may give them, is in no sense adequate to create the political instinct and the sense of civic responsibility which these people are said to lack. On the other hand, it must not be forgotten that every one of them, even in the most backward areas, is inevitably a pupil learning in the school of life practical lessons of great value; and, further, that the peculiar Indian joint family system does involve modes of life and habits of action that provide raw material for the development of a larger sense of civic responsibility.

Hence there need be no hesitation in making even at this late hour a true beginning in self-government, by entrusting the actual control and management of all internal village affairs directly to the entire body of adult villagers in each locality or unit of habitation. In this sense immediate adult suffrage can be established at once without any grave risk or formidable hindrance being encountered. There is no reason why all the adult residents of each village or natural unit of habitation should not annually choose a small body of experienced

and competent elders from amongst themselves, to act as the village executive with real control of all internal village affairs, such as the arrangements needed for local medical aid, sanitation, education, water-supply, transport, security of person and property, public peace, law and order. From time immemorial Indian villagers have been accustomed to such small councils of elders known as 'panchayats' (literally, councils of five), which have existed all over the country and functioned as local arbitration boards and settled all disputes. There need be no finality about the number five in determining its composition. It may well vary within reasonable limits according to the size and population of different villages or towns. There is no reason why such institutions should not now be given statutory and clearly defined authority for the control and management of all their local affairs, instead of the latter being managed for them by the paid agents of some remote autocratic central authority.

As each area is conveniently small and compact and local conditions and needs are better known to its own inhabitants than to any one else, they would undoubtedly form the most natural and the best body for dealing effectively with all matters of local concern and interest. They could easily act as the village tribunal of justice dealing with all civil and criminal cases. Such arbitration boards composed of village elders would be not only more economical than a hierarchy of paid magistrates and judges presiding over innumerable law courts, but also have an invaluable educative value. Also the village panchayat should naturally be the body responsible for the local collection of revenue and for carrying on negotiations with higher authorities in the state. Such a body should also be trusted with responsibility for making all necessary

local police arrangements for ordinarily ensuring public peace and protection of person and property, as is the case in advanced countries like Great Britain and the United States of America.

But it is essential if it is to mean real freedom for the people that the village executive should not be hereditary or nominated from above, or merely constituted of certain propertied or moneyed sections with caste status or social prestige and influence in the community. It should be representative of every adult person who lives and moves and has his or her being in the village area. In order to ensure this it should be laid down that each village executive entrusted with all the actual rights, powers, and responsibilities of local sovereignty should be constituted annually by open election by the whole body of adult villagers who are bona fide residents of that locality. Even so, those who know actual conditions in Indian villages, will realize how great is the risk of influential landlords and wealthy money-lenders controlling the electors through their undue influence over their impoverished tenants and clients, so as to usurp and keep political power in their own hands.

In order to minimize such risks and also to educate and enable the villagers to come into their own, it should be laid down that each village assembly of adult citizens should constitute annually (or biennially) standing committees of selected villagers for specific purposes, such as housing, education, sanitation, and so forth, which will advise the village panchayat. Besides, full meetings of the entire body of the village citizens might be held from time to time for the free discussion and decision of matters of major importance. It is impossible to exaggerate the political importance of such a step in enabling even the most ignorant and indifferent of the villagers to take a

keen interest and active participation in public affairs. It would have an educative value that nothing else could have and would accomplish more in that direction in a single generation than a hundred schools imparting book-learning could achieve in a whole century.

Nevertheless, it must be admitted that there is a certain grave risk involved in the exercise of village autonomy on the lines suggested above. It will undoubtedly lead, not only to diversities of policy and practice in different villages, but may result in serious disparity in standards of administration with endless other attendant evils of inefficiency, corruption, and scandalous mismanagement involving in its train the undoing of past progress. It is vitally important that this should be prevented. At present there is a highly efficient centralized administration that governs uniformly from the top, but which fails to give any room for initiative and freedom at the bottom. In the desire to remedy this, one must not rush to the opposite extreme and scrap the entire existing system which has been carefully built up by years of administrative experience, and set up in its place a loose collection of autonomous units which may function out of relation to one another and end in chaos. But there is no real need to choose between these two opposite evils. It is both possible and desirable that a wise and judicious combination of what is best in both alternatives should be made, conserving the achievement of the past in harmony with the new freedom and initiative now to be introduced at the bottom. In short, the immediate practical problem now confronting the Indian constitution builder is to combine into one working system the two opposite principles of central control that makes for expert efficiency and of local autonomy that confers freedom of initiative and responsibility on the people. How is this to be done?

The way this can be achieved may be brought out by a series of illustrations taken from different spheres of village administration. For example, it is not unlikely that village tribunals may be often swayed by local prejudices or communal tension, with the result that grievous injustice may be actually inflicted in some cases. But if a right of appeal from the verdict of the village elders to a higher tribunal presided over by a more impartial judge, were left open, at least in cases of major importance, it would not only provide relief in such cases, but would act as a wholesome restraint on possible abuse on the part of the village tribunals. This need not mean unnecessary multiplication of tribunals and needless duplication of the same work over again. In actual practice it ought to result in relieving the ordinary courts of a good deal of work with which they are now over-burdened; and consequently in reducing the number of such courts needed, and in the gradual substitution for them of trained village boards of arbitration.

Similarly, with reference to other aspects of village administration, it is desirable to provide for effective supervision of the conduct of village affairs and keep them up to required standards of efficiency by means of a system of grants or contributions to be made by taluq, district, or other higher authorities, conditional on certain prescribed minimum essentials of good administration being maintained. It is not unlikely that village authorities may be obsessed with cheap ideas of false economy and cut down the salaries and emoluments of paid public servants under their control, or capriciously dispense with their services; and this may do untold harm in the long run by destroying confidence in the security of tenure of the public services and encouraging jobbery, bribery, and corruption. But it is possible to safeguard against this

risk by so organizing the public services as to ensure that, while on the one hand part of the emoluments of public servants comes from village revenues, the other part is derived from contributions from higher authorities who can intervene when trouble arises.

To sum up, the key to the solution of the problem of Indian self-government lies neither with a merely centralized government with responsibility at the top, nor with mere local autonomy with unrestricted freedom at the bottom, but in a judicious combination of the two in such wise as to ensure a strong central government efficiently functioning side by side and in organic active co-operation with genuinely autonomous local authorities. The ways and means of effecting these will be found in a judicious division of functions and in a wise distribution of financial and other resources as will be calculated to make the parts, as well as the whole, not independent of, but vitally interdependent on each other.

When we pass from local autonomy in the several villages and natural units of habitation to the problem of their confederation and integration into higher units covering successively the taluq, the district, the province, and ultimately the country as a whole, there is no need to assume that the taluq boards, district councils, and provincial and national legislatures should all be constituted on the self-same basis of adult franchise that has been laid down as the natural and necessary basis of village autonomy. Between the two extremes of an unwieldy adult franchise on the one hand and a restricted indirect election on the other, there is a third way of determining the franchise for these higher bodies, which avoids the inconveniences and defects of both courses. There is no reason why different systems of franchise should not be concurrently laid down for the varying needs of different

public bodies, ranging from the village assembly at the bottom of the scale right up to the central legislatures of the whole country. Full adult suffrage is possible and suitable for village autonomy. But for the more remote and restricted needs of the taluq board, the district council, and the provincial and national legislatures, it is both unwieldy and unsuitable. But this need not mean that one should, therefore, fall back on an arbitrarily restricted suffrage or mere indirect election which will not mean actual training and political education to the voters and will result in depriving them of the privilege and opportunity of direct participation in the affairs of the district, the province, and the nation.

A far better way of building up a superstructure of free institutions would be to lay down progressively higher qualifications for the vote, involving a correspondingly more and more restricted suffrage for constituting the higher bodies by direct election at every stage. This means that when we pass from the village units to larger areas like the taluq and the district, there should be specified higher qualifications for the taluq and district franchises respectively, yielding a correspondingly more limited number of better qualified voters and ensuring thereby the intelligent exercise of the taluq and district votes. And when we pass from the district to the province, the qualifications for the provincial franchise should necessarily be still higher, so as to provide a still smaller and more select and adequately qualified electorate for constituting the provincial legislatures. Lastly, coming to the country as a whole, the qualifications for national franchise should be yet higher so as to ensure a still more restricted, select, and suitable body of electors for the national assemblies. Throughout, right up from the village units, public bodies should be constituted by direct election, if

the people are to be trained in the art of self-government, and if they are to retain effective control of their own political destiny in immediate local affairs as well as in more remote matters of taluq, district, provincial, and national importance.

Here the all-important question arises as to the specific nature of the qualifications to be laid down for progressively restricting the suffrage when proceeding to constitute the higher bodies and for ensuring at each stage the selection of the most suitable type of voters for the distinctive purposes and restricted functions of these higher bodies. The qualification laid down for the existing franchise in India is on the whole a property qualification. The Simon Commission have recommended as a means of immediately increasing the electorate by 10 per cent., the lowering of the property qualification, the addition of a new literacy test for the vote and the enfranchisement of the wives and widows of persons already qualified to vote. The Lothian Indian Franchise Committee have failed to discover or devise any new basis for enlarging the franchise and so have recommended similarly that the franchise in all the provinces should be based upon (a) property understood in a minimum sense so as to enfranchise a larger proportion of the people, (b) education independent of property, meaning in the case of men the upper primary standard, and in the case of women bare literacy, and (c) special representation for women, labour, landlords, universities, commerce, and other interests. The effect of these proposals will leave political power still concentrated in the hands of the same propertied, moneyed, and literate classes that now sway Indian politics. The laying down of a property and literacy qualification for the vote is tantamount to penalizing poverty and illiteracy as if they were crimes.

It is generally assumed that persons with property or money have a real stake in the country and consequently a greater sense of civic responsibility. But it must not be forgotten that others who have no wealth or property may have a no less real though different kind of stake in the country and in the way it is governed, and may also be capable of exercising a genuine sense of responsibility in the conduct of their own personal as well as public affairs.

The idea of supplementing the existing property franchise with a literacy qualification is not sufficient to meet the needs of the situation. It will involve in its application a considerable overlapping of literates with those already qualified to vote on account of their paying land revenue or other taxes, because as a general rule the propertied and moneyed classes are also those who can afford the luxury of going to school.

In order to ensure the active participation of all classes of persons according to the measure of their personal or individual capacity in affairs of state, it is desirable to recognize in addition to the property and literacy qualifications a progressive scale of various forms of public service as qualifying persons for higher franchise. The forms of public service to be recognized must be of a varied kind calculated to give a real chance especially to classes and interests that fail to qualify for the vote through the ordinary channels of property and literacy. The possibilities of this mode of extending the franchise have never been explored or even seriously considered as yet.

If the franchise be broad-based in the manner suggested above it will prove a formidable bulwark against any possible risk of mere class-rule or tyranny. While the entire body of adult citizens may well have the village franchise, only those with property or literacy qualifica-

tions and those who render certain recognized forms of public service, such as free manual labour for the community in lieu of cash payments or social service, would be reckoned as eligible for higher franchise. For example, there is no reason why the whole responsibility of policing local areas should continue to be solely entrusted to a regular paid professional police force organized and controlled from above. It is both possible and desirable that the younger generation of citizens between certain specified years of age should be encouraged to join a local civic guard and undergo voluntary training in police duties, so that they may share in the opportunity and responsibility of local defence and relieve in part at least the necessity for the State to maintain a large expensive paid police force adequate for effective protection of person and property. Service of this kind for a specified period of say three or five years will be a valuable probation in citizenship and may be recognized as qualifying those who have rendered it for higher franchises. A shorter period of such training may make them eligible for the taluq vote and a longer period for the district franchise.

Such an arrangement will be also economical to the State, and as it develops will make possible a corresponding reduction in the strength and numbers of the regular paid police force required for local needs; and at the same time it will give the chance of earning the higher franchise to those unfortunate backward classes of people who at present are entirely disqualified from voting owing to their lack of property or literacy. This is only one instance, cited by way of illustration. Besides this, service rendered in local arbitration boards or village committees of all kinds as well as public spirited work done in fighting diseases and epidemics, in improving

sanitation, spreading health habits, dispelling mass illiteracy among women as well as men, may all be recognized as qualifying those who render it in more or less measure for correspondingly higher franchise in the land. Under the peculiar social system prevailing in India, there is great scope for women teachers, doctors, and nurses. There is boundless opportunity for men as well as women of all sections and classes to render much needed public service in India. From this wide field, modes of public service suitable for recognition as qualifying for higher franchise, may be chosen and systematically graded so as to yield a select and at the same time thoroughly representative electorate at each stage, for the taluq, the district, the provincial, and national franchises respectively. Already military service is recognized as a basis for franchise. There is no reason why military service alone should thus be given preferential recognition above all other forms of no less valuable public service. This method of finding a new basis for franchise is pregnant with untold possibilities for good, and is well worth being thoroughly explored, before it is hastily concluded that the masses of the Indian people are unfit for democratic sovereignty. It is infinitely better worth consideration than the arbitrary imposition of a 10, or 14, or even a 25 per cent. limit to franchise in order to obtain a select and compact electorate to work the new constitution. According to the franchise scheme herein sketched, there is no arbitrary limit imposed anywhere on any class or section of the community and there is nothing to prevent any one from qualifying for the highest franchise in the land. The actual forms of public service that may be suitably recognized as qualifying for franchise, should be adapted to local needs and of a wide and varied character so as to give a real chance to every class of people; and

these may be revised periodically in the light of actual experience.

The main proposals contained in this chapter may now be summarized as follows:

1. That there should be laid down different franchises for the areas of different scale; varying from full adult franchises for village autonomy through a graduated scale ending with a very select and restricted franchise with a high qualification for the Government of India.
2. That for this purpose diverse recognized forms of public service, as well as property and literacy, should be admitted as qualifications for progressively restricted franchises for the taluq, the district, the provincial, and the national governments.

These proposals contain constructive suggestions for educating and training the electorate, essential for the success of democratic institutions. They avoid the various recognized evils of (a) any form of indirect election; (b) an unmanageably large electorate of indifferent and inexperienced voters for provincial and all-India affairs; and above all (c) the grave risk of the exploitation of the ignorant and helpless masses by an enfranchised oligarchy.

Chapter V

THE COMMUNAL PROBLEM

HAVING sketched in broad outline a graded system of service franchise adapted to Indian conditions, we have now to face the further problem of the ways and means through which under the new constitution it may be secured that all sections and interests are not merely represented but have a fair share in the actual government of their country. It is not much use any community receiving even preferential representation, if, nevertheless, it is doomed to remain for ever an impotent minority. So it is essential that adequate steps should be taken from the beginning to ensure that the new legislatures and executives in the country do not degenerate into a battleground of mutual suspicions and sectarian antipathies, but become the soil out of which genuine political parties, cutting clean through all communal divisions, will grow. This brings us face to face with the communal question, which has loomed large in the public eye and overshadowed every other consideration in recent deliberations concerning the future constitution of India.

The ancient and deep-rooted communal cleavages in the country have been generally held to constitute the most formidable obstacle to the establishment of free institutions and full responsible government in India. Broadly speaking, the rank and file of each of the various minority communities (which including the Muhammadans and the Depressed Classes total up to about one half of the entire population of India) have become increasingly jealous of the numerical strength and preponderating influence of the majority caste Hindu community. Each of these minority communities is numerically weak in itself

and is therefore naturally afraid that as democratic institutions come to be established, its own distinctive point of view and specific interest may not receive adequate or indeed any recognition at the hands of the vast majority of voters who will be members of the majority community. Though these minority communities are not as yet politically organized or articulate like the Indian National Congress, they regard with grave suspicion and fear the demands made in the name of democracy, as likely to lead inevitably under Indian conditions, to the actual concentration of political power in the hands of the majority community. This fear has been voiced by the leaders of large minorities like the Muhammadans and the Depressed Classes more loudly and persistently than by others; but it is widely shared by others besides them. So far no satisfactory solution of this thorny problem has been arrived at between the majority community and the various minority communities, one which will ensure anything like unanimity among them concerning India's immediate future. The crux of the communal problem lies in the difficulty of arriving at a solution that will at once meet the legitimate aspirations of the majority community and at the same time effectively allay the no less just fears of the minorities.

All reforms so far introduced into British India, and all schemes of reform now contemplated, endeavour to deal with these ancient and deep-rooted communal cleavages. There has been a general consensus of opinion that under Indian conditions no principle of representation is practicable which does not find room for the voicing of the various communal interests, or at least of that of the Muhammadans, who now number over 78 millions and form by far the largest single minority community in the land. Here it will be helpful to dwell briefly on the question of how the device of communal representation came to be

adopted in Indian administration, in order to enable us to judge intelligently of its adequacy or otherwise to meet the changed needs of the present and the future.

It is generally believed that the principle of separate communal representation was introduced into Indian politics recently as a matter of policy, and that it has ever since proved a veritable apple of discord. But as a matter of fact it has grown up naturally and inevitably from the conditions inherent in the Indian situation. British administrators in India must have realized from the earliest days of their contact with the country that most Indian questions have at least two different sides to them, the point of view of the majority community and that of the minority communities. Hence, whenever it was deemed necessary or expedient to consult public opinion, it was but natural to listen to what both sides had to say before any decision affecting them was taken. Individual British administrators consulted at their discretion selected Indians of position and influence, Hindu and Muhammadan, on affairs of importance. Indeed modern Indian legislatures themselves began as merely consultative committees or advisory bodies constituted by the British Government in India in order to ascertain public feeling concerning measures of proposed legislation. In 1861 for the first time statutory recognition was given by Parliament through the Indian Councils Act of that year to associating a few selected non-official Indians with the executive for the sole purpose of giving advice on matters referred to them. Not only was their function strictly limited in this way, so that it might in no way infringe on the sole responsibility of the executive for the administration, but the persons entrusted with the function were also chosen by nomination at the discretion of the executive authority. Within the next quarter of a century,

as non-official local boards and advisory councils began to be established in India, the need to make them thoroughly representative was increasingly felt and they came to receive statutory recognition.

In 1887, soon after the formation of the Indian National Congress, Lord Dufferin initiated negotiations for enlarging Indian Legislative Councils, so that thereby the rulers might be more directly brought into contact with Indian opinion and ascertain the needs and feelings of the various communities for whose welfare they were responsible. After much controversy, especially concerning the suitability of adopting the elective principle under Indian conditions, the negotiations finally bore fruit in the Indian Councils Act of 1892, in which the term 'election' was scrupulously avoided. Nevertheless the principle was conceded under the veiled form of recommendation by certain recognized groups and organized interests in the country for nomination by government to membership in councils. As the responsibility for the administration was then held to rest solely with the British rulers in India and not in any measure with the people themselves, it was inevitable that the councils should have been regarded as advisory bodies, in which it was sought to have all important interests represented. So in actual practice a system of indirect election was established as helpful for the limited purpose of securing representation of important sections and interests; and the Indian element thus introduced into each of the various provincial councils then set up consisted of eight members at the most. These represented certain outstanding interests in the country, such as a few big cities, large land-holders, chambers of commerce, universities, and groups of municipalities and district boards.

It is significant that at this time, though the need to

have all important classes and interests represented in the councils of the country was explicitly recognized, yet no separate provision for recognition of Muhammadan communal interests as such was either asked for or granted. This was not due to any oversight; but the real explanation of it lay in the fact that the councils then existing were merely ineffective advisory bodies and that all real power and responsibility was concentrated in the hands of a neutral body of rulers who were neither Hindu nor Muhammadan. The real importance of the 1892 reforms in the political development of modern India lies not merely in its disguised introduction of the elective principle into the administration of the country in the choice of non-official advisors to government, but also in the important rights of general interpellation and of budget discussion then conceded to the Indian councils. This marks the transition of those councils from the earlier stage of being merely advisory bodies to the later stage of becoming really responsible legislatures with important and far-reaching powers; and as the nature of this change became gradually realized by the people, there grew up a natural desire on the part of different sections to share in its privilege and opportunity. In the course of the next decade the working of the system then established was reviewed with the object of discovering how far the representation of all important classes and interests in the country had been secured on the various provincial and central advisory councils of government in India.

In the light of the experience gained in the interim the whole system came up for reconsideration during the régime of Lord Minto as Viceroy of India and of Lord Morley as Secretary of State in Whitehall; and then the question of substituting election for nomination in choosing non-official Indians for councils was very much to the fore.

It was at this time that a deputation of Indian Muhammadans headed by the Aga Khan presented a strong claim for the representation of the Muhammadan community as a separate interest in the councils of the country, if the elective principle was going to be adopted in constituting them. It is significant that the request for separate communal representation was made explicitly conditional on the elective principle being adopted for appointing non-official members of councils. The clear implication of the request was that Muhammadans had no apprehensions as to their adequate representation, so long as appointments to councils were made as hitherto by official nomination. Lord Minto in his reply to the deputation stated:

‘The pith of your address, as I understand it, is a claim that under any system of representation, whether it affects a municipality or a district board or a legislative council, in which it is proposed to introduce or increase an electoral organization, the Muhammadan community should be represented as a community. You point out that in many cases electoral bodies as now constituted cannot be expected to return a Muhammadan candidate, and that if by chance they did so, it could only be at the sacrifice of such a candidate’s views to those of a majority opposed to his community, whom he would in no way represent; and you justly claim that your position should be estimated not only on your numerical strength, but in respect to the political importance of your community and the service it has rendered to the Empire. I am entirely in accord with you. Please do not misunderstand me. I make no attempt to indicate by what means the representation of communities can be obtained, but I am as firmly convinced as I believe you to be that any electoral representation in India would be doomed to mischievous failure which aimed at granting a personal enfranchisement regardless of the beliefs and traditions of the communities composing the population of this continent.’

As a matter of fact in the actual working of the councils that had been established in 1892, Muhammadans had not succeeded in securing any adequate representation.

The need for it was not felt so long as the councils were limited in function and their personnel was filled by Government nomination. But with the enlargement of the functions and powers of the councils and the introduction of the elective principle in constituting them, even though it were in an indirect and disguised form, the need for such representation became acute and was voiced by the deputation referred to above. At last, after much consideration, the principle of separate communal representation for Muhammadans in addition to their right to vote also in general electorates was embodied in the Minto-Morley Reforms of 1909, with the cordial support of eminent Indian nationalists like Gokhale. In this respect the scheme was simply a further application of the system of representation for classes and interests in the advisory councils of the State, as previous arrangements in this matter were deemed to be incomplete; and it was not in principle a new departure. So long as the purpose and function of the councils of state in India were regarded as mainly advisory, there was no need felt to question or doubt the efficacy of the methods then in vogue of indirect election and communal representation for that limited purpose.

But within five years of the introduction of the Minto-Morley scheme into India, the great World War of 1914 broke out and in its turn gave a tremendous impetus to democratic ideals all over the world. This found expression with reference to India in the momentous declaration of His Majesty's Government that the goal of British policy in India was to be 'the gradual development of self-governing institutions with a view to the progressive realization of responsible government in India as an integral part of the British Empire'. Also India was admitted into the League of Nations on the understanding

that she was committed to become a self-governing unit of the British Commonwealth of Nations.

In order to give effect to this radical change of policy, Mr. Montagu, the Secretary of State, and Lord Chelmsford, the Viceroy, jointly reviewed the Indian situation and made recommendations for changes in the administration. The most important change recommended by them was the transformation of the then existing advisory councils into quasi-responsible legislatures with the right of constituting in part Provincial Governments. From this standpoint they criticized the existing system of communal electorates as opposed to the teaching of history, as tending to perpetuate class divisions, and stereotyping sectarian antipathies and thus constituting a very serious hindrance to the development of free institutions in the country. Nevertheless, the joint authors of the Report felt compelled, in view of the preferential treatment already enjoyed by Muhammadans and the understanding then recently reached between certain Hindu and Muslim leaders known as the 'Lucknow Pact', to recommend communal representation so far as Muhammadans were concerned, and to concede a similar arrangement for the protection of Sikh interests in the Punjab. But so far as the Depressed Classes and other minority communities in the country were concerned, they preferred to recommend for them representation by official nomination. These recommendations were substantially embodied in and given effect to by the Government of India Act of 1919. This also provided certain separate electorates for Indian Christians, Anglo-Indians, and Europeans in some provinces.

But it is well known that both the Report as well as the parliamentary legislation based on it were undertaken and carried out in haste amidst the pre-occupations and anxieties caused by the Great War. No adequate thought or

effort was expended in working out the implications of the radical change of policy or in devising suitable machinery for giving effect to it; and the existing administrative system was expected to cope with the demands of the new ideal of responsible government. For example, the same antiquated methods of communal representation and official nomination that had been found useful for the earlier limited purpose of constituting advisory councils, were utilized for the changed conditions and the new needs of responsible government. *This is the root cause of the failure of the Montagu-Chelmsford scheme to solve the Indian problem*; and therefore it is not surprising that far from yielding any satisfying solution, it has if anything complicated the issues and aggravated the situation.

Since then the Nehru Report, and that of the majority of members in the Indian Central Committee that co-operated with the Simon Commission, both agree in denouncing the methods of communal representation and official nomination as inconsistent with the essentials of true democracy. But when it comes to the question of constructive suggestions as to what is to take their place in the Indian constitution as more suitable for the purposes of responsible government, they fail lamentably. They have not succeeded either in analysing the needs of the changed situation or in devising new instruments of action to accomplish the desired result. They have contented themselves with proposing simply that general electorates should be established on the existing model of democratic countries like Great Britain, and as a compromise with Indian conditions, that special reservation of seats for representatives of minority communities may be conceded for the time being, wherever found necessary or deemed desirable. But this has not commended itself to the minorities concerned, who naturally dread that under

such a scheme they may actually be worse off than at present, as the only members of their respective communities who could or would have any real chance of being elected under such an arrangement from general electorates to the reserved places, will be those who regarded the wishes of the majority community. In order to dispel such fears, various ingenious and complicated devices have been suggested, such as that the electoral contest should be limited in each case to a panel of candidates approved by the minorities concerned or that no election of a minority community representative should be deemed valid unless the candidate has polled a clear majority of votes from the community concerned and at least 10 per cent. of the votes of the majority community. But all such proposals necessarily involve the maintenance of separate communal registers and therefore in the end are open to precisely the same objections to which communal electorates are open. In effect they hardly amount to anything more than seeking in a veiled form to accomplish new results through the self-same categories of thought and instruments of action in terms of communal representation that had been condemned by them as inadequate and unsuitable.

The Statutory Commission in reviewing the Indian situation have pointed out how communal bitterness and antagonism have increased in a variety of ways, until the question of communal representation in legislatures and cabinets, in government services and in local bodies, has become an all-India problem of the first magnitude. But as regards its solution the Commission have not succeeded in throwing any new light on the subject and have contented themselves with merely reviewing existing opinions and saying:

'Representation of rival communities and different interests is the

only principle upon which it has been found possible to constitute, by the method of direct election, the legislative bodies of India, and this is the more significant as the authors of the Montagu-Chelmsford Report manifestly struggled against it' (*vide* paragraph 152 in volume I of the Report).

So they recommended for Muhammadans, Anglo-Indians, and Europeans communal representation and for other minorities special reservation of seats in joint electorates, and where that was not practicable, representation through official nomination. Though the Statutory Commission conceded communal representation to Indian Muhammadans in the various provincial legislatures, they confessed their inability to go any further and recommend similar preferential treatment either for Muhammadans or for any others, so far as the various provincial executives or cabinets were concerned. The distinction made in this respect between legislatures and cabinets is very significant. It means that while they were prepared to tolerate communal representation for reflecting different shades of opinion in the legislatures, they realized that it is incompatible with the unity of policy and collective responsibility that are essential for an executive cabinet. But they had no practical suggestions to make as to how non-communal cabinets are to be constituted out of and made responsible to legislatures with a communal composition. Nor have the various Provincial Governments and the Central Government in India, in their reports on the Simon Commission recommendations, succeeded in finding any solution of this thorny problem.

Discussions on this subject at the Round Table Conference proceeded on the same pre-suppositions and old familiar lines of approach; and so did not lead to any fruitful results. A scrutiny of the contents of the Report of the Minorities Sub-Committee will show that every one in it was perfectly aware that for the success of responsible

government in India the co-operation of all communities was essential, and that to ensure such co-operation the new constitution should contain adequate provisions designed to assure all concerned that their interests would not be prejudiced. But the urgent need for defining what precisely were the interests to be safeguarded, and for determining what kind of provisions alone would be adequate for that purpose, seem to have been overlooked altogether. So, instead of devoting any time or effort to clearing up these basic issues, on which everything else depended, the Committee sought to reach some hurried agreement or working understanding between the delegates of the communities concerned, by inviting them to make a statement of claims along with proposals as to how their several interests should be safeguarded.

Apart from the grave initial omission to define the precise nature of the interests concerned and the safeguards required, the procedure adopted assumed that the invited spokesmen of the various communities had already done hard clear thinking on the issues involved, and that their statement of claims coincided with actual needs and that their proposals would be adequate for safeguarding the interests concerned. Unfortunately this assumption was not well founded, as no such clarification of issues as was needed had been made by the delegates, either before or at the Conference, as will be evident from a perusal of the published proceedings. Instead of attempting an accurate survey of communal needs, and devising measures adequate to the satisfaction of those needs, with reference to the new goal of responsible government, they contented themselves with urging the inclusion in the constitution of a declaration of fundamental rights, guaranteeing cultural, religious, economic, social, and civic privileges to all in India under the new constitution.

While great emphasis was laid on the need to include such a declaration of fundamental rights, hardly any thought seems to have been bestowed on the far more important practical question of providing effective ways and means by which these declared rights were to be actually enforced and ensured. After this, they seem to have devoted the rest of their time to discussing the relative merits of joint electorates and communal representation or reservation of seats in order to secure for every section some opportunity of voicing its claims in the various legislatures and cabinets of the country. This led discussion firstly to determine which communities were to be recognized as deserving preferential treatment, and then to estimate in terms of percentages the precise amount of special representation that might be regarded as adequate for them; and this resulted in a deadlock. It does not appear to have been realized that the real need and ultimately the only adequate safeguard for each section or community under a system of responsible government is for it to have an effective share in actual political power, which cannot be secured by mere preferential treatment, weightage, and communal representation. (For detailed criticism of Minorities' Subcommittee's Report, see Appendix B, p. 264.)

The fervent personal appeal and strenuous efforts made by the Prime Minister to reach a settlement of this problem along the same lines then, and subsequently on the re-assembling of the Round Table Conference, proved fruitless, and he himself confessed that it baffled solution. The presence of Mahatma Gandhi, and his intervention as chairman of an informal conciliation committee, did not succeed in achieving in London anything that he had thus far failed to accomplish in India. Apart from a small section of so-called 'Nationalist Muhammadans' who expressed themselves in favour of joint electorates, the

main body of Muhammadan opinion in India, has remained adamant in its demand for separate one-third representation for Muhammadans in the central and provincial legislatures and also for statutory guarantee of at least one cabinet seat for a Muhammadan in each executive to be set up under the new constitution. Not only in British circles but even among Hindu leaders it is generally taken for granted that preferential communal representation in some form and measure has to be conceded to the Muhammadans, if only because of their insistent demand for it. Irrespective of the question as to whether it is really adequate for the purpose for which it is sought, the Muhammadan example as well as the response it has succeeded in evoking, has tended to rouse other minorities, the most notable of whom were the so-called Depressed Classes. This led to the absurd and intolerable situation that if the 'minimum demands' for weightage and communal representation of $33\frac{1}{3}$ per cent. in the case of the Muhammadans and 25 per cent. in the case of the Depressed Classes were conceded, more than 58 per cent. of the places in the legislatures would be monopolized by these two interests alone, and there would be no room left for any adequate representation for the majority and the other minority communities. Even if the impossible feat of squaring in terms of numerical percentages the arbitrary and mutually incompatible claims for preferential representation put forward by different delegates on behalf of their respective communities had been accomplished through some strange miracle of political arithmetic, it does not follow that the compromise would have been equally acceptable to the several communities concerned.

While Mahatma Gandhi expressed willingness on his own part as well as on the part of the Indian National Congress, whose sole delegate to the Conference he was, to

accede to the Muhammadan claims and to preferential treatment for the Sikhs in the Punjab, yet he was strongly opposed to concede anything towards the similar claims of other minorities and especially the Depressed Classes. Indeed at a meeting of the Minorities Sub-Committee of the Conference, Mahatma Gandhi declared that he would 'rather see Hinduism die than that untouchability should live' and urged that as separate electorates for them would perpetuate their degradation and mean the disruption of the Hindu fold, he would feel in conscience bound to resist it unto death. These laudable sentiments so emphatically expressed at this late stage, however sincerely meant, as well as the repeated efforts, more or less abortive, of various Hindu social reformers from time to time for the removal of the curse of untouchability, do not undo the injustice meted out to the Depressed Classes to this day by their co-religionists within the Hindu fold. The extreme steps taken by the Indian Congress leaders in launching the Civil Disobedience Movement against the British Government in order to hasten the grant of freedom to India, stand in significant and melancholy contrast to the far from extreme steps that they have thought fit to take against the ancient inhuman tyranny of caste Hindu orthodoxy, in order to secure for these unfortunate peoples elementary human rights. It would have been far better for all concerned and for the honour of India if Indian Nationalist leaders had used their great influence with their countrymen and strained every nerve to exterminate the age-long tyranny of Hindu caste rather than seek at this late hour to give assurances that it should be done some day in the future.

As no agreed settlement of the communal question was forthcoming from India, His Majesty's Government undertook to impose a decision on certain aspects of the

problem, so that India's constitutional advance might not be hindered by this obstacle. They themselves say that they realize 'that the framing of the constitution will necessitate the decision of a number of other problems of great importance to minorities', but state that their decision 'has been taken in the hope that once a pronouncement has been made upon the basic questions of method and proportions of representation, the communities themselves may find it possible to arrive at a *modus vivendi* on other communal problems, which have not as yet received the examination they require' (*vide* paragraph 3 of their 'Communal Decision', Cmd. 4147). They 'wish it to be most clearly understood that they themselves can be no parties to any negotiations which may be initiated with a view to the revision of their decision, and will not be prepared to give consideration to any representation aimed at securing the modification of it which is not supported by all the parties affected'. But they have described their decision as only a 'provisional scheme' intended to clear the way for India's constitutional advance and say that they will be prepared to recommend to Parliament any 'practical alternative scheme either in respect of one or more of the Governors' Provinces or in respect of the whole of British India' provided the communities concerned are mutually agreed upon it.

Nevertheless His Majesty's Government are committed to the position that in their judgement the fixing of proportions of representation between the rival claims of different communities is a matter of 'basic' importance; and that once it is settled even provisionally, the way will be opened for reaching an agreement on 'a number of other problems of great importance to minorities', which, however, are not specified by them. Whatever these other problems may be, surely the question of how minorities

are to be represented not simply in order to voice their claims, but to have power to enforce them and the opportunity of actually sharing in the responsibility of governing, is of vital importance to them. If so, how can the 'communal decision' which segregates them in separate electorates ever lead to their combining in such wise as to come to power? The actual contents of the decision do not reveal any attempt to diagnose the root cause of the trouble and prescribe for its radical cure. Indeed it does not profess to be any real solution, but only a provisional patchwork of compromises between the rival claims for preferential representation that had been actually put forward on behalf of the various communities in India. Criticism in India on the British Government's 'Communal Award' has confined itself merely to calling in question some of the details of their decision concerning the proportion assigned to some community or another. No one seems to have looked beyond that and challenged the assumption that such a fixing of proportions was of 'basic' importance and would smooth the way to constitutional advance. If by 'constitutional advance' is meant the drafting of a paper constitution assigning representation in terms of numerical figures to different communities, then indeed it may be a help. But if by 'constitutional advance' is meant a cure for communalism and preparing the Indian people to shoulder responsibility for their own government, then it does not lead to such an end. It only perpetuates existing communalism by stereotyping it in separate electorates and reproducing it within the legislatures; and the proportions fixed to-day may already be out of date to-morrow. At best it ensures representation to various minority sections but can in no way guarantee their ever becoming anything more than impotent minorities with no prospect of ever coming to

power and actually ruling their country. If a practical scheme can be put forward even at this late hour which will not merely ensure due representation for voicing minority claims, but also a real chance and share for them in actual power to enforce their claims, then *ipso facto* the ground is cut from under the British Government's imposed communal decision.

The protest raised by Mahatma Gandhi in his correspondence with the Secretary of State and the Prime Minister and his subsequent dramatic fast did not concern itself with any large principle underlying the decision, but only with one single detail in it, namely, the allowing of a certain number of communal seats to the Depressed Classes in addition to their right to qualify and vote in general constituencies along with caste Hindus. This side issue was magnified into great importance as likely to affect the very existence of Hinduism, and it attracted so much public attention to itself, that other and more fundamental issues involved in the Government's communal decision escaped unchallenged. It is true that in the concluding sentence of his letter to the Prime Minister dated the 9th of September 1932, Mahatma Gandhi says:

'I wish to state that the fact of my having isolated for special treatment the Depressed Classes question from other parts of your decision does not in any way mean that I approve of or am reconciled to the other parts of the decision. In my opinion, many of the other parts are open to very grave objections, only I do not consider them to be any warrant for calling from me such self-immolation as my conscience has prompted me to in the matter of the Depressed Classes.'

The settlement with the Depressed Classes' leaders in India was reached only by conceding to them a disproportionately larger number of seats to be reserved for them in general electorates, than the number of seats

assigned to them by the British Government's award. In plain unvarnished language it was a bribe offered to them at the expense of caste Hindu representation, in order to induce the Depressed Classes voluntarily to renounce separate communal constituencies for themselves. The terms of the settlement followed the same vicious circle that communal discussions had followed in the past and they are not calculated to produce abiding satisfaction in the caste Hindu ranks or to evoke goodwill from them towards the Depressed Classes in the long run. On the contrary, the concession really puts a premium on extreme demands for separatism and is likely to induce others to seek to gain preferential treatment by similar methods.

In any case it is impossible to understand the consistency of the motives that move Mahatma Gandhi and those who think with him, to concede the claim for separate electorates in some cases while they resolutely reject it in other cases. To be fair to those who adopt such an illogical attitude on the communal question, it must be admitted that they would personally prefer open electorates with some reservation of seats in them as a concession to allay the suspicions and fears of minorities; but as they find that this will not satisfy the minorities concerned as adequate, they have reluctantly given in to certain insistent demands for communal electorates. Also it may be that they feel bound by the agreement reached at Lucknow between Hindus and Muhammadans at the joint session of the Indian National Congress and the All-India Muslim League in December 1916, known as the Lucknow Pact, interpreted as a solemn and inviolable pledge between the two communities; and that they realize that the Muslim and Sikh forces are too powerful not to be conciliated even at the cost of consistency and sacrifice of principles. The Pact laid down that adequate provision should be made

for the representation of important minorities by election and that Muhammadans should be represented through special electorates in provincial legislatures in the following proportions:

Punjab	—50%	of the elected members.
United Provinces	—30%	„ „ „
Bengal Presidency	—40%	„ „ „
Bombay Presidency	—33 $\frac{1}{3}$ %	„ „ „
Bihar and Orissa	—25%	„ „ „
Central Provinces	—15%	„ „ „
Madras Presidency	—15%	„ „ „

The proportions agreed to in the Lucknow Pact do not even represent accurately the existing position of Muhammadans in the different Provinces or the relation between Muhammadans and the rest of the community; and much less can they be held to be inviolable for all time. Besides, the setting has entirely changed since 1916 when the Lucknow Pact was made, and there is no ground for holding that the expedient then deemed useful for securing representation for the different points of view in the advisory councils that then existed, will now suffice for the radically different needs and higher purpose of responsible government. Whatever the explanation of their attitude may be, there is no gainsaying the fact that it has landed the claimants in self-contradiction. If the declaration of fundamental rights and the reservation of seats in open electorates and such other devices are adequate in the case of some minorities, why will they not suffice for Muhammadans and Sikhs also? On the contrary, if separate electorates were deemed necessary in their case, why are they held to be not merely unnecessary but positively harmful in the case of others? There is no escape from the horns of this dilemma.

The line of approach so far adopted in dealing with this problem has been to seek through negotiation and bargaining between spokesmen chosen as representatives of the different communities concerned, some more or less agreed compromise or working understanding between them as to the precise percentage of preferential representation that will satisfy them. This assumes that the several claims and proposals put forward by the different spokesmen should be accepted without question as objective items to be squared into a working compromise, instead of being critically examined and evaluated with reference to the actual needs which they profess to interpret. Also it appears to have been generally overlooked that an extended application of such devices as weightage and communal representation, which were of real use for the limited purpose of constituting representative advisory bodies in days past, will not suffice for the new needs of minority communities under a system of responsible government.

As a matter of fact, the Muhammadan claims of to-day are substantially the same as they were in the Minto-Morley days of limited opportunity. Muhammadan leaders do not seem to have advanced one inch since then in the matter of revising and adapting their proposals to the changed needs of their community under a system of responsible government, except for the crude additional demand now put forward for one cabinet ministership to be reserved for a Muhammadan. Even if this be granted, the Muhammadan representatives will remain an impotent minority both in legislatures and in cabinets alike, with no opportunity of ever coming to power and shouldering the responsibility of actually governing. The Muhammadan leaders themselves do not seem to have dared to ask or hope for anything on that scale; and seem to have utterly

failed to realize that nothing short of it is of much value under conditions of responsible government. It is pathetic beyond words to find Indian Muhammadan leaders still fondly imagining that the interests of their community will be somehow safeguarded by such simple devices as securing one-third representation in legislatures and by a single Muhammadan being included by statute in every cabinet. They seem oblivious of the fact that what alone will now be adequate for the needs of their community is not a big slice of representation in legislatures and cabinets to voice their claims and point of view, but constitutional machinery of a suitable kind that will ensure for them the opportunity of actually governing. The other minorities seem equally insensible to the real needs of the situation and are content to follow blindly in Muhammadan footsteps and feebly to echo similar claims for mere preferential representation.

As against these assumptions it is herein urged that the real issues at stake do not hang round the random claims urged by individual delegates or groups of delegates or even whole communities blindly swayed by passion, who seem to be still thinking in terms of securing merely preferential representation in councils and cabinets, but centre round *the vital need for them to share in political power and the responsibility of government*. This is the big new issue that lies at the heart of the communal problem, and which transcends in importance all other considerations.

In order to discover a true solution of this problem, it is necessary to abandon once for all the unfruitful lines that have been pursued till now and the erroneous pre-suppositions on which they proceed. But any scheme of reconstruction now put forward must begin with the existing 1919 scheme of reforms as a convenient starting-point and lead by a criticism of it to a more satisfactory

solution. Various features of that scheme, such as diarchy, have come in for a good deal of deserved and even undeserved criticism; but the fundamental weakness of that scheme lay not so much in its system of divided responsibility at the top as in its irrational division of the electorate into Muhammadan and non-Muhammadan at the bottom. This is indefensible in theory and utterly inadequate to the actual needs of the communities under responsible government; it was adopted only as a temporary concession to the conditions then prevailing in India. But the fact remains that the Muhammadans are not the only, though they are by far the largest and most influential, minority in the land. By their being segregated in special constituencies an erroneous impression was created that they had some private interest all their own in the Indian body-politic, and that it would be best secured by such preferential treatment; but as a matter of fact by this they inevitably became the object of envy on the part of other minorities and the target of attack on the part of the Hindu majority throughout the country. No one who has lived in India during the last decade can deny or doubt that *this has helped to fan into flame the smouldering embers of communal jealousy and hatred between the different peoples.*

Apart from this, what justification can there be for singling out Indian Muhammadans for such preferential treatment, treatment which has proved a very doubtful boon to them in actual practice? If it be urged that they are a large and historically important minority, whose interests must be safeguarded; it may be asked in reply, what about other minorities, smaller and if anything more helpless than Indian Muhammadans? Their interests are in no way less distinctive or less real because of their inferiority in numbers or historical importance. Besides, what good has such preferential treatment done to the

Muhammadans themselves? No amount of weightage and communal representation will ever give them the chance of becoming anything more than an impotent opposition. So, from the standpoint of logical consistency and practical expediency alike, there is no justification for their segregation in separate electorates. They have no separate political interests as such, different in kind from those of other minorities, similarly situated under Indian conditions; and their segregation in separate electorates will not bring them that accession to power, which alone will be of any real use under a system of responsible government. In truth, all minority communities in India are politically alike, in so far as they have a common need to secure for themselves not merely a due share of places in the services and the councils of the State, but also the opportunity of actually governing.

The need for adequate safeguards is widely recognized and admitted even by the representatives of the majority community, but there are widespread misconceptions as to the precise nature and extent of the safeguards that are really required. The mistake in the past has been to assume that the only possible safeguard for minority communities must be a neutral external one imposed from without by Britain, guaranteeing preferential representation, or acting through the Governor as Britain's representative, making special nominations to represent otherwise politically inarticulate minorities, and intervening in other ways to protect their interests. But this is incompatible with the establishment of responsible government; so efforts must now be made to provide adequate self-contained internal safeguards within the new constitution itself without introducing any alien principle. The precise nature of the needs as well as the safeguards adequate to meet those needs must be clearly defined.

The actual needs and interests of minorities are not identical with the natural desire on their part for a due share of the loaves and fishes of office; nor are they the same as the desire for undue representation in the councils of the country, by means of artificial weightage; for that will still leave them a helpless minority or mere impotent opposition within the councils with no real opportunity of ever directly enforcing their will or actually governing. Stated negatively, their real need is to be guaranteed against the risk of majority tyranny; but stated positively, what they require is a *real opportunity of governing*. This is vitally important, because if they have this, then it will ensure everything else for them. But on the contrary, if they have all other things in the shape of numerous paper guarantees and statutory provisions without the actual opportunity of governing, it will avail them little.

In order to ensure real achievement and to prevent all risk of majority tyranny, the constitutional machinery of government in India must be so devised as to *utilize minority communities not in power as raw material for providing an alternate Government*.¹ From this standpoint and for the purpose of creating such machinery, in the case of each minority that feels numerically weak and politically powerless to stand by itself, surely the natural remedy lies in its allying itself with other minorities with like needs and similarly situated. In the measure in which minorities are organized to form such alliances they will become strong and

¹ If the Indian people were politically alive or advanced, they would do this of their own accord and group themselves voluntarily on party lines, so as to ensure not merely their capturing seats in councils, but their actually coming to power. But as they are not only politically backward but dominated by sectarian prejudices and torn asunder by mutual jealousies and suspicions, it is necessary for the constitution, now to be granted, to be so devised as to ensure not merely that all sections and interests are represented, but also that they are represented in such wise as is calculated to educate and enable them to organize themselves to rule.

politically efficient. By such a combine they can rise from the position of a servile mendicant to that of an honourable rival. Also it will teach each of them to look beyond its own immediate communal and sectarian interests and prejudices and to learn to think in wider terms of the common political needs of other minorities. The establishment of general electorates even with reservation of seats will not provide the needed machinery for alternate Governments, which alone can give all classes and sections of people, minorities equally with the majority, the opportunity of actually governing. On the other hand, concessions of proportionate or communal representation will all alike result only in small groups within the legislatures bargaining and intriguing for transitory gains.

In order to avoid this and to secure for all the actual opportunity of governing, it is desirable that in the new reformed constitution there should be a statutory division of the electorate into two classes, one consisting of majority community constituencies and the other of minority communities' constituencies, instead of the present division into Muhammadan and non-Muhammadan constituencies. When different minorities are thus grouped in joint minorities' constituencies, it may well happen that in some provinces they actually outnumber the majority community itself in numerical voting strength and the consequent number of their elected representatives in the legislatures. Wherever and whenever this happens, it will be their privilege and responsibility to constitute the Government, while the numerically inferior majority community representatives will form the opposition. On the contrary, if the majority representatives outnumber those of the joint minorities, then the majority party will be in power and the minorities' representatives will be the opposition.

But it may seem at first sight that such a scheme would inevitably lead in each Province and in the Central Government to one side—either the majority community or the joint minority communities' representatives—whoever happen to be numerically stronger, coming into power and assuming office, leaving the other side in the unenviable position of a perpetually impotent opposition. If this be so, it would defeat the whole purpose and justification for the proposed division of constituencies. It is essential for the successful working of democratic institutions that the section or sections not in power should in every single case not be a perpetual opposition, but should have the real opportunity and inducement to form an alternative government replacing those already in power for the time being. If this is not ensured by the constitution, they will tend to become irresponsible negative critics and not constructive statesmen, while those in power, confident of a perpetual majority, may tend to abuse their power. Therefore, it is indispensable that there should be no rigid division of the electorate into hard and fast majority and minority constituencies, but that the division should in every case be plastic and capable of change. By this is meant that it should be open to persons on either side to change their political allegiance and go over to the other side.¹ In order to enable the

¹ As franchise is a personal matter, it is desirable that not only communities but individuals also should have the right to change over from one side to the other; and each individual who exercises this right is helping to break through existing communalism and creating new political loyalties. There is no practical difficulty standing in the way of providing for this in the new constitution. Whenever a change is desired, all that the party concerned has to do is to intimate it, either personally or in writing, to the permanent officials in charge of the electoral registers and request to be transferred from the one side to the other. The initiative for making the change should come from the parties concerned, and if they are really keen on the change they can be counted upon to do what is needful to secure it. When

constitution to start functioning, it is necessary to make a more or less rough initial division of the electorate into majority constituencies and joint minorities' constituencies, on a population basis, or better still, on the basis of the relative voting strength of the two sides, so as to ensure in the beginning that neither side is overwhelmingly big or capable of grossly outnumbering the other. But there should be no rigidity or finality about such a division. It is a purely tentative division, intended to provide a working basis for the constitution to start functioning; but on the eve of a general election or at the end of a limited period of three or five years as the case may be, it must be open to any person or section on either side to change over to the opposite side, if it deemed it desirable or expedient to do so.

The real scope and significance of such a flexible scheme will be realized when one remembers for example that Hindus, who form the majority community in most of the Provinces, are not a solid homogeneous body, but are in reality composed of numerous castes and sub-castes with very varying economic and political interests. Under the proposed scheme and in the peculiar circumstances of certain Provinces, it is not unlikely that either the Depressed Classes at one end of the Hindu social scale or the Brahmins at the other end, or in some cases both, may find it expedient and desirable to ally themselves for political purposes with other minority communities rather than to remain merged in the great body of caste Hindus who will naturally be the majority community in such cases. Similarly, the recent division of Indian Muhammadans into 'Nationalist Muhammadans' and others, may

there is a big landslide from one side to the other and whole groups desire to change over, they may approach the electoral officers either individually or make joint petition for such a transfer.

find expression in the former choosing to be reckoned for electoral purposes with the majority party constituencies, and the latter choosing to go into minority communities' constituencies. The exact line of division and the actual composition of each side will naturally vary with the varying conditions prevailing in the different Provinces. From the standpoint of the scheme herein suggested, it is not merely unnecessary but positively harmful to fix beforehand the number of seats for each legislature and then seek to apportion them between the two sides. Such a course will be arbitrary and unfruitful, and its only practical result will be to provide cause and occasion for endless heartburnings, disputes, and deadlocks. On the contrary the number of candidates to be elected by either side ought to be determined automatically by the number of people who choose to qualify for the franchise. The principle underlying the scheme may be illustrated with reference to the existing population strength of different communities in the various Provinces.

For example, in the Punjab the Muhammadans, numbering a little less than $13\frac{1}{2}$ millions, will naturally be the majority community, leaving the Hindus, Sikhs, Jains, Europeans, Anglo-Indians, Indian Christians, and others totalling a little less than $10\frac{1}{2}$ millions to compose the joint minorities' constituencies. But this does not mean that the Muhammadans will permanently be in the majority and rule in the province. On the contrary, on the present franchise the joint minorities are likely to be in power, as their voting strength is actually greater than that of the numerically larger Muhammadan community. But whichever side is in power, no injustice is done to the other side, so long as the qualifications for the vote are so framed as to give fair scope for both sides to qualify for it. Besides, as economic and other issues come up for decision, they will

cut clean through communal ranks on both sides and lead to fresh groupings on party lines, as the division of constituencies is plastic and capable of being changed from inside by those affected by it. In Bengal the two sides will be less evenly balanced on a population basis, as the Muhammadans number nearly $27\frac{1}{2}$ millions, while the Hindus and all other minor communities together total up to only a little over $22\frac{1}{2}$ millions. Even here it is doubtful if the Muhammadans will be in the majority, if only voting strength is considered on the present franchise; and as the constitution gets working, the issues that arise will modify the initial division of Muhammadans and non-Muhammadans along political party lines.

In the remaining Provinces, caste Hindus will generally form the majority electorates, and the other communities along with the outcaste Depressed Class Hindus will form the joint minorities' electorates. In the Madras Presidency, on the other hand, the great bulk of non-Brahmins will naturally form the majority community, leaving Muhammadans, Depressed Classes, Brahmins, Jains, Europeans, Anglo-Indians, Indian Christians, and others to form the joint minorities' constituencies. Even so, the great body of caste non-Brahmins will overwhelmingly outnumber the other side. In order to avoid this and to produce a more evenly balanced equilibrium between the two sides, it will be expedient initially to group some non-Brahmin sections in the joint minorities' electorate, leaving the others to constitute the majority side electorate.

The main principle of the proposed distribution of electoral constituencies provides an effective internal safeguard in the constitution against monopoly of power by any one class because of its numerical strength and ensures for all sections and interests alike the opportunity of

governing. The actual details of such distribution, Province by Province, can be entrusted to some expert body especially constituted for the purpose like the Franchise Committee, with clear instructions as to the new lines on which they must seek to group constituencies. Its inquiries must be made on the spot, Province by Province, in actual consultation and negotiation with the people concerned, and its composition should be elastic, so that in each Province representatives of sections and interests affected may be co-opted to it. Such a body may work out the actual line of division of electoral constituencies desirable to start with, in the special circumstances of each area, in consultation with the communities concerned, so as to ensure the formation of more or less evenly balanced electoral constituencies in every case. There is no insuperable practical difficulty in doing this, and the resulting advantages will amply justify the initial efforts made to provide such a starting-point for the working of the new Indian constitution. If that constitution is to provide a real working solution and an effective cure for the communal problem and to give abiding satisfaction to all concerned, then it must be so designed as to establish in the country a system of true democracy with adequate internal safeguards and mutual restraints, as will ensure that no one community will have a monopoly of continued political power and no other community or section will be left with the gloomy prospect of perpetual political inferiority.

It may seem that this is a scheme to obtain artificially by somewhat elaborate means a result which it may be hoped will eventually come about by the natural play of political forces, and that as minorities gradually come to realize their own impotence, they would learn to combine voluntarily and to co-operate for common political ends

and that therefore no statutory enactment is needed to bring this about. It is futile to regard such a consideration as a serious objection to the proposed scheme. After all, the real purpose and function of all legislation is to control and utilize natural political forces intelligently in order to anticipate and hasten desirable human results, which would otherwise have come about very slowly. Especially would it be fatal to trust to the play of natural political forces and to await their ultimate results in a country like India, where diverse communities with widely varying ancestries, traditions, and beliefs have been congregated together and have continued to live for centuries side by side in mutual exclusion and suspicion. Here, if anywhere, there is supreme need for far-sighted statesmanship and effective constitutional enactments calculated to group and train the different communities in such wise as to enable them to think and act politically instead of merely communally.

On the one hand, if general electorates were established, there is the grave risk of members of the majority community being returned in overwhelming numbers to the legislatures and of political power being concentrated in their hands, without minority communities obtaining even fair representation in public bodies. On the other hand, in order to safeguard against this, if communal representation were granted to minorities, it will not only stereotype and perpetuate existing communal consciousness and tension, but will in no way help to educate or train the masses of electors to look beyond their several immediate communal considerations. The proposed division of electoral constituencies into two groups in every Province and in the country as a whole avoids the opposite evils mentioned above and steers a middle course that will adapt the basic principles of responsible government

to the peculiar conditions of the country. And it will provide an effective and wholesome internal safeguard within the constitution itself against any possible exclusive monopoly or selfish abuse of political power by any one community or section in the country. No serious hardship or real unfairness will be inflicted on any one by such a division and grouping of communal elements, so long as it is clearly laid down in the constitution that within a fixed period of three or five years at the most, and on the eve of a general election, it is open to any dissatisfied person or section on either side to change over.

The real reason for the proposed statutory division of electoral elements into two groups lies in the peculiar conditions of communal diversity and mutual suspicion prevailing in India, and the vital need to safeguard against the risk of possible tyranny of any one section over the others. Because of the absence of a politically educated electorate and genuine parties with alternate policies, there may be, to start with, a tendency for the elected representatives of the majority community to band themselves together as one party against the minority representatives, who may equally tend to group themselves together in opposition as the other party. At the start, mutual suspicion and job hunting and a scramble for the spoils of office may be very much in evidence in the attitude and programmes of the various communities. But under the proposed system this cannot last very long. The very fact of elected members having to secure the votes of others besides those of members of their own particular section or community will lead to the subordination of communal and sectarian considerations. Once real political issues emerge, they will irresistibly capture public attention and make powerful cross divisions in existing communal and other allegiances, and lead

to the regrouping and redivision of the various elements more and more on the lines of genuine political parties.

The actual process of political education and party development that such an electoral scheme will ensure for India may be made clear by means of a concrete illustration. On the question of protective tariffs, for example, there has been till now practical unanimity of opinion on the part of Indian political leaders that high tariffs will promote India's economic welfare and advancement. This is because political leadership in India has so far represented more or less the capitalistic and manufacturing classes in the country who stand to gain by such tariffs, rather than the great mass of consumers who will suffer from the consequent artificial rise in the prices of commodities of common consumption. This is an urgent economic question which from the very nature of the case will cut clean through the Hindu-Muhammadan and all other communal divisions that now loom so large on the Indian political horizon. Those sections that will gain by the imposition of protective tariffs, be they Hindus or Muhammadans or Sikhs or Christians, will naturally range themselves together on one side in favour of tariffs, while others who will suffer because of them, to whatever community they may belong, will be driven to link themselves together on the other side in order to oppose them effectively. Such a development is eminently desirable as it will not only lead inevitably to controversy and promote discussion and thereby politically educate the electorate, but it will create powerful new allegiances which will prove the best cure for the narrow spirit of communalism that is now so rampant.

It does not seriously matter whichever party happens to be in the majority and in power in any Province for the time being, because it is only on trial for a time and will

come to be judged by the electorate by the effects of its policy; and therefore it will be afraid to abuse its opportunity in any way. At the same time the opposition party will have the incentive and opportunity to expose its blunders and to put forward alternative constructive proposals calculated to rally to their side the support of sections hitherto belonging to the other side. This will provide a most effective and wholesome internal restraint and safeguard within the constitution itself against any possible selfish abuse of power by any particular section or community. Also it will produce far-reaching beneficial results by promoting mutual restraint and healthy rivalry between all concerned. It is not too much to claim that given such conditions, a few years of the reformed government in India will accomplish more in the way of progress, especially with reference to social and economic matters and the rapid removal of the curse of untouchability, than a hundred and fifty years of British rule has ever dared to attempt.

That the proposed scheme meets precisely the needs of the situation, and provides a solution of the impasse with which both the British Government and Indian political leaders alike are faced will be evident from the following brief summary of its chief advantages:

1. It makes no invidious distinction between some minority communities to whom preferential treatment is accorded by the grant of weightage and communal representation and other minority communities who are differently treated. It treats them all alike according to a single general principle based on the common political needs of all minorities.

2. It hits a happy mean between the one extreme of minority communities being merged in general electorates and the opposite extreme of their being left segregated in

several separate communal constituencies. The proposed electoral distribution will ensure the return of a fair proportion of minority as well as majority candidates to the legislature, and at the same time it will broaden the outlook of every community and train its members to think and act politically instead of communally.

3. It provides a solution of the problem of the rights and freedom of minority communities under democratic conditions of majority rule, by furnishing them with the actual means and opportunity of forming the government and directly exercising real power instead of indirect influence. Once minorities have realized that this ensures for them far more than they have ever dared to hope or ask for, they will voluntarily renounce their present blind demand for communal representation and weightage.

4. It does not in any manner deprive the majority community of the means and opportunity to rule.¹ Instead it secures the accomplishment of the very thing for which its leaders have so long striven in vain, namely to banish from the minds of minority communities all fear and suspicion of the majority community when popular government is established, and to induce them to co-operate with the majority community in the common aim of full responsible government for India.

¹ Members of the majority community, who may be banking on the numerical strength of their own sect for capturing political power under democratic conditions of majority rule, may not view with favour the proposed scheme which provides for different communities splitting on political issues and forming new party loyalties; and they may complain that this is only a contrivance to deprive the majority community of its opportunity of being perpetually in power. Such a criticism will not bear examination, as the joint minorities can come to power only by winning over to their policy and programme the allegiance of peoples whom it is equally open for the majority side to win over to itself. If the majority community fails to do this and becomes reduced to a minority, it will be its own fault; and the remedy lies in its own hands.

5. Whichever party happens to be in power, no real injustice or unfairness to those not in power is involved. Under the proposed system there will be a constitutional opposition with an incentive to strain every nerve and put forward an attractive alternative political programme.

6. So far as the political future of the country is concerned, by adapting the democratic principle to existing Indian conditions and securing a fair distribution of opportunity and just division of power to all concerned, it ensures the gradual education of the electorates to think and act politically instead of communally. It utilizes existing communal diversities as raw material for the formation of genuine political parties, which will exercise vigilant mutual restraint and compete with each other in healthy rivalry in devising beneficial schemes for the public good.

7. Above all, it goes to the very root of the Indian constitutional problem and resolves the fundamental contradiction between the demand for the substance of independence on the one hand, and the clamour for safeguards on the other, by substituting a self-contained system, with potent internal safeguards.

In conclusion, it may be stated that the scheme outlined here for the solution of the communal problem is based, not on the random claims for mere representation put forward by various sections and interests, but on an analysis and diagnosis of the real need for creating suitable administrative machinery that will safeguard all sections and communities against any risk of tyranny, by themselves directly participating in the privilege and responsibility of self-government. In this way the stones despised by the would-be Indian nation-builders of to-day, will, in the providence of God, become the corner-stones of an enduring edifice of true freedom and security.

Chapter VI

THE DEFENCE PROBLEM

THE present chapter will deal with the important problem of Indian defence. From time immemorial the fertile lands of the Indo-Gangetic plain have attracted successive invaders from trans-Himalayan regions; and in more recent centuries the development of navigation and sea communications have rendered the coast-line of India vulnerable, and European nations have entered into the amphitheatre of Indian life by the sea-route. In our own day the phenomenal development of aircraft has created the need for a new kind of defence. So the problem of Indian defence will have to be considered in all its aspects of land, sea, and air.

Ever since British supremacy was established in the land, Great Britain has successfully shouldered the responsibility for the defence of India from the menace of foreign invasion, and given the country the opportunity of peaceful development unhindered by any of the calamities that had so often come in the wake of foreign conquest in the past. So it is important to consider how the establishment of self-governing institutions, not only in the provinces but at the centre in India, will affect the question of the future defence of the country.

In order to enable us to come to grips with the varied issues involved in the problem of modern Indian defence, with explicit reference to the country's future constitutional development, it is desirable to begin with a brief historical retrospect of arrangements for defensive as well as offensive warfare in past epochs and more especially in recent British times. In ancient Hindu polity, in the various kingdoms into which India was then divided, warfare was

deemed to be the birthright and duty of the Kshatriyas or fighting caste, with the king at its head, which formed one of the four recognized orthodox Hindu castes and ranked in status as second only to the Brahmins or priestly one. In later centuries, Muslim dynasties that ruled over large areas in India had regular standing armies which included not only Muhammadan troops but also Hindus in their ranks; and in Muhammadan times cases are not unknown of Hindus attaining high civil, as well as military, rank in the service of their Muhammadan sovereigns. Within the last five hundred years, when Portuguese, Dutch, French, and British trading companies entered India and established factories for trade, they soon felt the need to fortify and garrison them because of the unsettled and disturbed state of the country at the time. For this purpose they not only armed their European company servants but also their Indian employees. Besides the general lack of security prevailing in the country, the mutual rivalries between the different European nations themselves necessitated their increasing and strengthening their armed forces. It was the far-seeing statesmanship of the great French general Dupleix that made the discovery that Indians trained and officered by European experts proved of splendid fighting value; and it is interesting to note that his experience in this matter was confined to the natives of southern India who are now regarded as lacking martial qualities. The success of Dupleix's experiments soon led other European nations in India to imitate his example; and the historic origins of the British Indian Army of to-day can be traced to the bands of armed retainers trained and commanded by the British East India Company servants. It was in the course of time found expedient and desirable to supplement these with regiments of British troops recruited in Britain for

service in the East Indies. Later, regular troops of the British Army arrived on the scene as occasion arose to protect, extend, and consolidate the sphere of British interest and influence in the country; and the first detachment of the regular British Army to serve in India was the old 39th Foot, subsequently renamed the 1st Battalion of the Dorsetshire Regiment, whose motto still is 'Primus in Indis'; and other British regiments have followed in its wake and won laurels on Indian battlefields. Thus in the service of the East India Company there grew to be regular armies composed of British and Indian troops right down to the outbreak of the great Indian Mutiny of 1857-8, when it became necessary to rely on imported British troops to quell the mutiny and restore peace and order. It is not necessary here to dwell on the causes that led to the mutiny. Suffice it to note that it affected seriously for nearly three-quarters of a century, down to this very day, the trend of British military policy in India far more than it did the course of civil policy. It was undoubtedly responsible in the main for the fear and suspicion on the part of British rulers that led to the permanent retention henceforth of a definite proportion of British troops in the country as the minimum necessary for safety, and to the rigid exclusion of Indians from the commissioned ranks of the army in India.

There was a clear inconsistency between the actual policy of British Indian administrators and the lofty and generous terms of Queen Victoria's famous Proclamation to the princes and peoples of India on the occasion of the transfer of sovereignty at the end of the Mutiny from the East India Company to the British Crown. But the inconsistency has not been so glaring in the case of the civil administration in India as it has been in the composition and command of the armed forces in India. Educated

Indians were not slow to notice this inconsistency between British profession and British practice, and they have claimed with increasing insistence the promised equality of status with their British fellow subjects in military as well as civil affairs. While qualified Indians had gradually risen to fairly high rank in the civil administration of the country, they remained rigidly excluded till 1918 from the commissioned ranks of the armed forces in India.

Early in the present century a kind of King's Commission was introduced into His Majesty's native Indian land forces. It was earmarked for those who had successfully passed through the full course of the Indian Imperial Cadet Corps, which was composed of the sons of ruling princes in India; but unlike the regular King's Commission, it carried only the power to command Indian troops, and as those on whom it was conferred could not rise to anything beyond becoming officers in charge of a company in an Indian regiment, it did not open up even to the sons of the hereditary princes of India any real military career. It was the exigencies of the World War that for the first time unexpectedly brought in 1918 the grant of the regular King's Commission to certain Indians and led His Majesty's Government to declare at last that Indians were eligible on equal terms with British subjects for the real King's Commission in the British Indian land forces, with the right to command British as well as Indian troops. In order to give effect to it, ten places each year were reserved for eligible Indian cadets at the Royal Military College at Sandhurst, and in order to meet the immediate needs of the Great War a Cadet School with room for fifty cadets was temporarily opened for one year at Indore in Central India. Since then only those Indians who were admitted into and trained at Sandhurst have obtained King's Commissions in the army.

Leaders of Indian public opinion had been demanding for over forty years that Indian subjects of the Crown should be granted equal opportunities of service in the defence forces of their country along with their British fellow subjects, yet had not received any response from successive British Governments. It is tragic to note that during all those intervening decades from the close of the Indian Mutiny to the outbreak of the Great War, there was not a single British administrator in India, or statesman in Britain, who had the courage or foresight to respond to this very natural demand. He would be a bold man who would deny that had this been done freely and voluntarily with courageous statesmanship in good time, it might have made no small difference to the history and trend of Indo-British relations.

The Montagu-Chelmsford Report which was hastily drafted during the anxious days of the Great War, neither raised nor considered this thorny question in its fundamental bearings with explicit reference to the new goal of responsible government then contemplated, but consigned the treatment of it to three meagre paragraphs in its concluding eleventh chapter entitled 'Indian wishes', 'Recognition of the services of the Indian Army', and 'British Commissions for Indians'. (*Vide* paragraphs 328, 329, and 330 of the Report.) The joint authors of the Report began with admitting that, 'If our general policy demands that the Indian element in the civil services of the country should be increased, it involves some change also in our military policy'; and then proceeded to note the growing insistence in India on the right of Indians to bear arms in defence of their country and for extended opportunities for military training. But they excused themselves from considering the question in all its bearings by stating that in the middle of the World War it was

not possible for them to deal with this large question, and that it would have to be faced and settled in due course with reference to the actual requirements of the future as determined by the terms of peace attained at the end of the War. Meanwhile they bore testimony to 'the brilliant and devoted services of the Indian Army in various theatres of war', and remarked that these had already received some recognition and that they must receive more in due course. They pointed out that 'British Commissions have for the first time been granted to Indian officers' and noted the paramount importance of this in the eyes of India. The joint authors conclude their treatment of this question with declaring that 'the services of the Indian Army in the War, and the great increase in its numbers, make it necessary that a considerable number of commissions should now be given', and that they felt sure that if this were done in a generous measure it would do more than any other measure to stimulate Indian enthusiasm for the Empire and the War.

Soon after, in the new Legislative Assembly constituted under the Government of India Act of 1919, resolutions were moved and carried urging:

(i) That 'the King-Emperor's Indian subjects should be freely admitted to all arms of His Majesty's military, naval, and air forces in India and the ancillary services and the auxiliary forces, that every encouragement should be given to Indians—including the educated middle classes—subject to the prescribed standards of fitness, to enter the commissioned ranks of the army and that, in nominating candidates for the entrance examination, unofficial Indians should be associated with the nominating authority, and in granting King's Commissions, after giving full regard to the claims to promotion of officers of the Indian Army who already hold the commission of His Excellency the Viceroy, the rest of the commissions granted should be given to the cadets trained at Sandhurst. The general rule in selecting candidates for this training should be that the large majority of the selections should be from the communities which furnish

recruits, and as far as possible in proportion to the numbers in which they furnish such recruits.

(ii) That not less than 25 per cent. of the King's Commissions granted every year should be given to His Majesty's Indian subjects to start with.

(iii) That adequate facilities should be provided in India for the preliminary training of Indians to fit them to enter the Royal Military College, Sandhurst.

(iv) That as soon as funds were available steps should be taken to establish in India a Military College, such as Sandhurst, and the desirability of establishing in India training and educational institutions for other branches of the Army, should be steadily kept in view.' (*Vide Resolutions 7 and 8 of the 28th of March 1921, Indian Legislative Assembly Debates, 1921, vol. I, No. 15, pp. 1753-4.*)

A scrutiny of the clauses of these resolutions and of the speeches that accompanied them, reveals how utterly vague were the ideas in the minds of Indian political leaders concerning the real needs of the situation. While aspiring vaguely for the Indianization of the defence forces and demanding in a general way that His Majesty's Indian subjects should be freely admitted into all arms of the military, naval, and air forces, ancillary services, and auxiliary forces of the country, their recommendations are confined only to a request for increased facilities for admission to Sandhurst, which at the most would qualify a few selected candidates for admission into the commissioned ranks of certain infantry and cavalry units of the Indian Army. No word is said about artillery, engineers, signal, or tank units, or naval or air forces.

As to the actual system of distributing commissions, three different methods are suggested, namely:

(a) Firstly, 'full regard to the claims to promotion of officers of the Indian Army who already hold the Viceroy's commission';

(b) After that, 'the rest of the commissions granted should be given to the cadets trained at Sandhurst' and

'the general rule for selecting candidates for this training should be that the large majority of the selections should be from the communities which furnish recruits, and as far as possible in proportion to the numbers in which they furnish recruits';

(c) And 'every encouragement should be given to Indians—including the educated middle classes—to enter the commissioned ranks of the army'.

There is nothing in the resolutions to suggest how the mutual claims of the three distinct sources of selection are to be actually reconciled. The class mentioned in (a) are obviously persons without Sandhurst training, while those in (b) and (c) are persons with Sandhurst training. Again, in the case of (b) furnishing recruits is a *sine qua non*, while in (c) it is not. Indian leaders in the Assembly who were responsible for the resolutions seem to have been obsessed with the sole idea of securing as many commissions as possible for Indians in the Army.

The Government, on the other hand, responded to the resolutions of the Legislative Assembly, by granting special concessions and facilities to induce suitable Indian young men to come forward to qualify for entry into the commissioned ranks of the infantry and cavalry divisions of the Indian Army. From the beginning it had been ruled that Indian candidates should compete only among themselves and not with British candidates for admission to the ten places reserved for Indians at Sandhurst. Also an entrance examination for this purpose, of a definitely lower standard than that held in Britain for selecting candidates for Sandhurst, was held in India. Besides, the age-limit for entry was increased by one year in the case of Indian candidates in order to allow more time for the Indian student having to study and pass in a foreign language, unlike the British boy who studies in his own

mother tongue. Free passages to go to Europe and to return to India were provided by the State for selected candidates. Lastly, the Prince of Wales Royal Indian Military College was established at Dehra Dun in 1922, with room for seventy cadets at a time, for preparing prospective Indian candidates from an early age on British public school lines for the entrance examination and later for more intensive training at Sandhurst.

In spite of all this, the results achieved in the matter of securing an adequate supply of suitable Indian candidates for training for commissions were found to be most disappointing. Not only was the number of recruits forthcoming for such training insignificantly small, and the limited ten vacant places in Sandhurst were filled every year with the utmost difficulty, but also the percentage of passes among those who completed the course was disproportionately small, being approximately only 60 as against the 97 per cent. of successes generally gained by British boys at Sandhurst. Besides this, an analysis of the candidates who passed the entrance examination in India reveals the fact that while about two-thirds of them came from the Punjab and the North-West Frontier Province, there were actually none forthcoming from some other big provinces. It is incredible that among 350 millions of people, several of whom have till recent centuries had martial traditions, that there should not be more abundant material of a suitable kind for this purpose than was actually forthcoming. Hence comes the conclusion that there must be something radically wrong with the system for securing candidates for higher military service in India.

Meanwhile a special method of 'Indianization of the Army' was introduced, known as the 'Eight Units Scheme', which has been the subject of much difference of opinion

and controversy ever since. Lord Rawlinson, then Commander-in-Chief, speaking on the 17th of February 1923 in the Indian Legislative Assembly announced:

'The Government considers that a start should be made at once so as to give Indians a fair opportunity of proving that units officered by Indians will be efficient in every way. Accordingly it has been decided that eight units of cavalry or infantry be selected to be officered by Indians. This scheme will be put into force immediately. The eight units to be wholly Indianized will be mainly infantry units, but there will be a proportion of cavalry. They will be chosen judiciously so as to include as many representative types as possible of Indian battalions and cavalry regiments of the Indian Army. Indian officers holding commissions in the Indian Army will be gradually transferred to Indianizing units so as to fill up the appointments for which they are qualified by their rank and by their length of service, and the process of Indianizing these units will then continue uninterruptedly as the officers gain seniority and fitness in other respects, which will qualify them for the senior posts.'

Accordingly 5 infantry battalions out of 104, 2 cavalry regiments out of 21, and 1 pioneer unit out of 7, forming in all a meagre fraction of the whole Indian Army, were selected for the conduct of the experiment in cautious 'Indianization of the Army'.

As Indians were granted the King's Commission for the first time only as late as the last year of the Great War, in 1918, and as promotion in the Indian Army is strictly regulated by rigid precedence according to seniority in service, no Indian officer holding the King's Commission has as yet attained to any great seniority in service, and consequently the earliest date at which the Indianization of these eight selected units will be completed will be 1946, after which alone the result of the experiment can begin to be really judged. So it is not surprising that the scheme has been far from popular in Indian circles and has been generally taken as a refusal, even at this stage of Indian constitutional development, to adopt a more

liberal policy towards the 'Indianization of the Army'. The prolonged delay involved under the scheme in the Indianizing of even a meagre fraction of the Indian Army, coupled with the significant fact that no similar segregation of Indian officers in watertight administrative compartments was deemed necessary as a prelude to the Indianization of the civil services in the country, was sufficient to produce widespread suspicion and dislike for the scheme. It does not profess to accelerate the rate of Indianization, but only to alter the method of effecting it; and Indian political opinion was unanimous that the method was calculated to hinder and delay the pace of Indianization, for the quickening of which it had long and persistently clamoured.

In view of all this, the Indian Legislative Assembly passed a resolution on the 19th of February 1925 to the following effect:

'This Assembly recommends to the Governor-General in Council that a committee including Indian members of the Legislature be immediately appointed to investigate and report:

'(a) what steps should be taken to establish a military college in India to train Indian officers for the commissioned ranks of the Indian Army;

'(b) whether, when a military college is established in India it should supersede or be supplemented by Sandhurst and Woolwich so far as the training of Indian officers is concerned; and

'(c) to advise at what rate Indianization of the Army shall be accelerated for the purpose of attracting educated Indians to a military career.' (*Vide Indian Legislative Assembly Debates*, 1925, vol. V, No. 19, p. 1273.)

Sir Alexander Muddiman speaking on behalf of the Government gave an undertaking to the Legislative Assembly in March 1925 that a committee would be appointed under the chairmanship of Lieutenant-General Sir Andrew Skeen, Chief of the General Staff in India, 'to examine the

means of attracting the best qualified Indian youths to a military career and of giving them a suitable military education'. The Committee was actually appointed in June 1925 and consisted of twelve Indian members besides the Chairman and a Civil Servant as Secretary. The terms of reference to the Committee as finally framed by the Government of India were as follows:

'To inquire and report:

'(a) By what means it may be possible to improve upon the present supply of Indian candidates for the King's Commission both in regard to number and quality.

'(b) Whether it is desirable and practicable to establish a military college in India to train Indians for the commissioned ranks of the Indian Army.

'(c) If the answer to (b) is in the affirmative, how soon should the scheme be initiated, and what steps should be taken to carry it out.

'(d) Whether, if a military college is established in India, it should supersede or be supplemented by Sandhurst and Woolwich so far as the training of Indians for the commissioned ranks of the Indian Army is concerned.'

Here it may be pointed out that the wider question contained in item (c) in the Assembly's resolution was not alluded to in Sir Alexander Muddiman's announcement to the Assembly, and was completely left out of the terms of reference as finally framed by the Government of India. The Committee met in Simla in August 1925, held preliminary discussions, and settled their course of action. Questionnaires were issued, and selected witnesses were orally examined, and one sub-committee went out to study conditions in England, Canada, France, and the United States, while another sub-committee visited various Indian universities to study on the spot the extent to which suitable candidates for an army career were available in these institutions. At last the main Committee re-assembled in the latter half of 1926, and after considering all the

information gathered, drafted a unanimous report and submitted it to the Government of India. It was published on the 1st of April 1927, with a foreword by the Government of India stating that they considered it necessary to emphasize that neither they nor His Majesty's Government were committed to the recommendations of the Committee and that their own final decision must take account of other factors than those within the province of the Committee. For example, it was said that the recruitment and training of King's commissioned officers for whatever service is essentially an Imperial concern. In any case an assurance was given that the Report would be used as a starting-point for the consideration of these matters. (For detailed examination of the Skeen Committee Report see Appendix C, p. 271.)

There is no room for doubt that Sir Andrew Skeen and his Committee have made a valuable contribution towards the solution of certain aspects of the Indian Defence problem that came within the scope of their actual terms of reference, both by their penetrating and illuminating survey of specific Indian conditions and difficulties on the one hand, and by their concrete suggestions to achieve results within a definite period of time on the other. The fine spirit in which they undertook and accomplished the delicate and difficult task entrusted to them cannot be better described than in their own words:

'In view of the past exclusion of Indians from the higher ranks of the army, in view also of the past history in other respects of India under British rule, of her past dependence upon others for the higher administration of the country, both civil and military, there are difficulties which it will require a special degree of patience, wisdom, and sympathy to surmount.' (*Vide* p. 13 of the Report.)

Nevertheless, the work of the Skeen Committee was devoted to the solution of only one part of the whole problem

of Indian defence, namely, to finding an adequate supply of suitable Indian recruits for the commissioned ranks of the Indian Army, to which alone the scope of their inquiry was confined. But there are other and wider aspects of the problem, which fell outside the sphere of their inquiry and were not therefore considered by them. For example, in a significant passage in their Report they say:

'We have in the course of our inquiries heard doubts expressed whether a strong and genuine military spirit, such as is essential to the training and command of troops, can be created or, it may be said, revived in the people of India as a whole. It is suggested that in certain parts of the country climatic influences and detachment from the immediate menace of any form of external aggression constitute a natural and perhaps insuperable obstacle. But even those who express such doubts and suggestions would not proceed to urge that the Government should refrain from attempting to build up a military tradition more comprehensive and more widely diffused than that which exists at present.' (*Vide* p. 13 of the Report.)

They themselves would be the last persons to claim that their specific proposals have more than touched the fringe of the wider problem referred to in the passage just quoted above. Besides, their own specific recommendations contemplate the setting up of highly expensive technical institutions in India on the lines of Sandhurst, Woolwich, and Cranwell, and the special education and training of increasing numbers of cadets in India and in England. No scheme of Indian defence can be accepted as really satisfactory which does not go to the root of the problem and succeed in awakening and enlisting the interest and enthusiasm of all classes and sections of the Indian people in the great cause of their national defence.

Towards the latter half of 1928, fifteen months after the publication of the Skeen Report, the Government announced its decision on the recommendations. The

proposal for increasing the reserved places for Indian cadets at Sandhurst was put into effect. The recommendation for making Indians eligible for admission at Woolwich and Cranwell was also accepted, and Indian cadets have at last gained admission therein. The proposal for setting up a military college in India on the lines of Sandhurst by 1933 was considered premature; but the more recent discussions in the Round Table Conference have since led the Government to take immediate steps towards the establishment of such an institution in India. Though some of the recommendations of the Skeen Committee have in this way been adopted, its main recommendation regarding the abandonment of the 'Eight Units Scheme' has not been accepted, and the Government has announced its intention of adhering to the scheme in preference to that recommended by the Committee. Also, hardly anything specific seems to have been done as yet to overhaul the educational system in the country along the lines suggested by the Committee.

Here it may be noted that at the Second Conference of Indian Universities held at Delhi on the 30th of October 1929 on the eve of the epoch-making announcement of full Dominion status as the goal of British policy in India, the following notable resolutions relating to Indian defence were adopted:

'that University Training Corps be formed in those universities in which they do not exist at present, and that additional provision be made for extending them where they already exist and where there is a demand for it'; and 'that in the opinion of the Conference, it is desirable that Universities should take steps either separately, or in co-operation with one another, to provide instruction in subjects of military interest by instituting university departments of military studies, and securing the services of qualified instructors for the purpose'. (*Vide Minutes of Committee on p. 33 and Resolutions 2 and 3 on p. 66 of Proceedings of Second Conference of Indian Universities, issued by the Inter-University Board, India.*)

This opens up a fresh, less expensive, and more fruitful approach to the solution of the problem of providing an adequate supply of suitable candidates in India for officering the army, and of generally stimulating interest and spreading knowledge of defence affairs.

Already some Indian universities have led the way by opening departments of military studies to supplement the practical training given in existing University Training Corps. There is no need for different universities to copy each other and unnecessarily duplicate the same courses in different centres. It would be far better for different universities to specialize in different branches of such instruction. For instance, some may attempt instruction in subjects of the Sandhurst type, while others may go in for instruction in subjects of the Woolwich and Cranwell type, while yet others situated on the sea-coast may aim at training naval cadets. It would not be difficult to obtain on reasonable salaries the services of qualified men for this purpose, such as retired ex-Staff College instructors experienced in teaching military, naval, and aircraft subjects. This would mean considerably less cost and trouble than would be involved in securing officers of the regular forces. Such a scheme would be elastic and adapted to the conditions and resources of the country, and it could gradually develop as demand arises, without involving the exorbitant initial outlay, expenses, and commitments entailed in the Skeen Committee's proposals. And it would serve the purpose equally well if not better.

The Indian Statutory Commission devoted Chapter 10 of Part I of volume I of their Report to reviewing the position regarding the army in India, with explicit reference to the political goal of complete self-government within the Empire; and their specific recommendations for the future are to be found in Part V of

volume II of their Report. They claim to have reviewed the existing arrangements for defence, discussed the issues involved, and to have put forward constructive proposals which would reconcile the need for security with the demand for constitutional advance. They begin by pointing out that

'In considering the implications of the policy, to the pursuit of which the British Parliament is solemnly pledged, for the increasing association of Indians in every branch of Indian administration, and for the development of responsible government in British India, no question is at once more difficult and more crucial than the future organization, recruitment, and control of the army in India.' (*Vide* paragraph 111 in volume I of the Report.)

Having asked themselves 'What, in view of the resolve that British India should advance to the goal of self-government within the Empire, is the nature of the arrangements which must be contemplated and in due course reached for her external defence and her internal security?', they state emphatically

'that it would be a great disservice both to Britain and to India for this question now to be shirked, or for a method of treatment to be adopted which is confined to the search for temporary expedients wrapped up in soothing generalities, which only serve to foment suspicions of the bona-fides of British policy on the one hand, and to divert attention from the ultimate and fundamental difficulties which Indian politicians themselves will have to face on the other. The best service we can render in this regard is to set out, plainly and fearlessly, for the consideration both of the British Parliament and of the political leaders of India, the special features of India's military problem which must be provided for before army administration can be a function of a self-governing India'. (*Vide* paragraph 112 in volume I of the Report.)

These special features are said to be three in number, and to be without parallel elsewhere in the Empire. They are:

1. The urgency and extent of the problem of external defence in India.

2. The dimensions and magnitude of the Indian problem of internal order.
3. The extreme difficulty of recruitment for the army in India from races of widely varying military capacity.

So far as external defence is concerned, India is said

‘to carry a constant burden of anxiety to provide against actual dangers on her north-west frontier, which are wholly without parallel in the case of the self-governing Dominions. The 3,000 miles of land frontier which separate Canada from the United States are undefended by a fort or a gun, and armed conflict with her neighbour is unthinkable. Australia, New Zealand, Newfoundland, and Ireland are islands; the Union of South Africa is equally unlikely to be invaded’. (*Vide* paragraph 113 of volume I of the Report.)

In striking contrast to this, it is pointed out that India has been invaded throughout history by waves of invaders who, though a mere handful as compared with India’s teeming millions, have often successfully entered the gaps that exist in the mountain barriers that guard India’s land frontier and subjugated vast areas. It is the primary function of the army in India to guard the gateway of India against a repetition of this. Between the Indian frontier on the one hand and the Afghan frontier on the other, there stretches a belt of unorganized territory inhabited by semi-independent warlike tribes who at any moment may raid the neighbouring regions. Beyond them lie States which are not members of the League of Nations and from which quarter constant trouble has come to India in the past. All this is said to make the urgency and extent of the problem of the external defence of India without parallel elsewhere in the Empire, and to explain why so large a percentage of Indian revenues has to be devoted to defence, unlike the self-governing Dominions which spend but a meagre fraction of their revenues in organizing on a

small scale local forces within their own boundaries for national defence.

The point of this argument is to show that the army in India as at present constituted with 60,000 British troops and 150,000 Indian troops commanded by British officers, is not too large or expensive for the task it has to perform. Here it may be admitted that the nature, extent, and cost of Indian defence forces must be determined and judged primarily with reference to actual Indian conditions and needs, and not merely with reference to similar forces elsewhere. Nevertheless, it is not irrelevant to compare Indian forces in relation to Indian needs, with Dominion and other forces in relation to the several needs of their respective countries; and such comparison may yield helpful analogies as well as suggestive contrasts. If this were systematically done, it would bring to light the exaggerated and sweeping character of the contrast given above. In these days of comparatively easy sea and air navigation, the mere fact of Australia, New Zealand, Newfoundland, and Ireland being islands, does not render them immune from foreign invasion; and it would be both relevant and instructive to know what defence forces are deemed adequate in their case against the possible risk of naval or aerial attack by a hostile power. Taking the cases of South Africa and Canada which have land frontiers, it may be admitted without question that they are not threatened by troublesome neighbours like those who haunt the borderland in the north-western frontier of India. But on the other hand, these tribesmen, however wild and warlike they may be, are not trained and organized with modern up-to-date equipment; and about three-quarters of a century ago, the Sikhs who ruled over the Punjab were not only able to resist the frontier tribesmen successfully, but when occasion arose they

invaded Afghanistan and actually occupied Kabul. This was done in recent pre-British times by a Sikh army under Sikh officers with barely half a dozen European adventurers serving in it. Recently, Chinese troops officered by their own generals with the help and guidance of a handful of European experts, have astonished the world with the spectacle of the stubborn resistance that they were able to offer to the advance of a first-class modern power like Japan. So it is not impossible that the martial races of India, with enormous manpower behind them and trained properly by experts, should be able to hold their own in the comparatively narrow frontier which is open to attack by lawless tribes.

Further, one may doubt if the invasion by land of South Africa and Canada is really as inconceivable as stated by the Simon Commission. Under present circumstances it may seem unthinkable; but is there any guarantee that circumstances will not change, that economic and other barriers may not give rise to grave misunderstandings and conflicts even between the best of neighbours? What certainty is there that the polyglot population of the United States will always be of a complexion friendly to Britain and Canada? Even if the pro-British element in the States can be relied upon as adequate, at any rate for the time being, to avert any hostility, this does not exhaust the whole defence problem of Canada. What about the sea coast of Canada, especially on the western Pacific side? Can it be assumed reasonably that a rupture of Anglo-Japanese relations is equally unthinkable? If not, is Canada able to defend herself with her present forces and equipment against a possible Japanese invasion, unaided by the forces of the Empire? If Anglo-Japanese relations became ruptured—and they came very near to breaking-

point during the recent Shanghai crisis—are Australia and New Zealand really safe from the risk of invasion simply because they are islands; and if not, are their present forces and equipment in any measure adequate for preserving their integrity and independence? Apart from all this, the mutual rivalries and jealousies of different European nations with vested interests in Africa may lead at any time, even in present circumstances, to complications which may menace the territorial integrity of the Union of South Africa. If such be the case with the various self-governing Dominions, can it be claimed that India is really in a totally different category from them as regards her external defence?

But it may be urged that there are other considerations which make the Indian defence problem unique. It is pointed out by the Simon Commission that the army in India is organized not only into a field army and covering troops to guard the frontiers against dangers from without, but also into a garrison force spread over the country for maintaining internal peace and security. They say:

‘We have been told that this use of the army for the purpose of maintaining or restoring internal order was increasing rather than diminishing, and that on these occasions the practically universal request was for British troops. The proportion of British to Indian troops allotted to this duty has in fact risen in the last quarter of a century. The reason, of course, is that the British soldier is a neutral, and is under no suspicion of favouring Hindus against Muhammadans or Muhammadans against Hindus. . . . It is a striking fact in this connexion that, while in the regular units of the army in India as a whole British soldiers are in a minority of about 1 to 2½, in the troops allotted for internal security the proportion is about 8 British to 7 Indian soldiers. When, therefore, one contemplates a future for India in which, in place of the existing army organization, the country is defended and pacified by exclusively Indian units, just as Canada relies on Canadian troops and Ireland on Irish troops, it is

essential to realize and bear in mind the dimensions and character of the Indian problem of internal order and the part which the British soldier plays (to the general satisfaction of the countryside) in supporting peaceful government. It will, of course, be understood that the formations which go to make up the field army in war are stationed in various parts of India in peace time, and the units which for the time being constitute these formations are consequently available for internal security purposes. In the event of mobilization, these units in their respective formations would be moved to the front. The limiting factor, therefore, in determining the numbers retained for internal security is the minimum that would be needed for this purpose throughout India when the rest of the troops are assembled elsewhere for dealing with external danger.' (*Vide* paragraph 115 on pp. 95 and 96 of volume I of the Simon Report.)

But there is nothing unusual in armed forces being called upon to aid civilian police authorities in the last resort when dealing with domestic disturbances of more or less serious character and dimensions; and this has been repeatedly done within the British Isles and in recent times, for instance, in dealing with serious troubles that have broken out from time to time in Ireland; and it is far from unknown in European countries. Even in England herself when there was apprehension of grave breaches of domestic peace during the time of the General Strike, and more recently when the Dartmoor Prison outbreak took place, troops were requisitioned to assist police authorities in restoring peace and order. If so, in what sense are domestic disturbances within India declared by the Simon Commission to be 'entirely different' and 'unique'? Even the existence of grave domestic dissensions of a more sustained and permanent character between rival communities within the same country cannot be said to be a peculiarly Indian phenomenon when one recalls to mind the long continued tension tinged with religious prejudice between the French and the British

in Canada, between the Boers and the British in South Africa, and between the Irish and the British in the British Isles themselves.

Nevertheless, it may be admitted that communal riots between Hindus and Muhammadans, embittered by deep-rooted religious prejudices, figure more frequently and on a larger scale in different parts of India than elsewhere, and that it is but natural, in present circumstances, that both sides alike should look to the British troops in the country as an effective neutral force available on the spot for quickly restoring peace and order. But this in itself is hardly sufficient to make the case of India unique among the nations, and still less does it prove that there is no other or better way of coping with the problem of chronic internal dissensions in India under the new conditions of responsible government now to be introduced, than by the hitherto pursued expensive but effective method of utilizing highly trained British troops, armed with the best modern equipment for quelling local riots among a disarmed people. The whole argument of the Simon Report assumes in this connexion from start to finish, that India can never rely on its own troops to restore and maintain order in the country as Canada and Ireland do, because of the traditional bitterness and hostility between Hindus and Muhammadans. But, after all, these two communities do not exhaust the entire population of the country. There are other communities in India, like the Parsees and the more numerous Indian Christians, besides Anglo-Indians and Domiciled Europeans, who are neither Hindu nor Muhammadan, and these can be relied upon to be neutral in dealing with Hindu-Muhammadan riots. The very urgency of the need for neutral arbitrators and peace-maintainers in India, may prove to be the happy means of making the two major communities of

the Hindus and the Muhammadans in India realize the potential value to the new Indian state of the other hitherto despised minority communities in the land, out of whom fairly well equipped and trained neutral forces can be organized for the purpose of quelling Hindu-Muhammadan riots and maintaining internal peace. The possibility of this in relation to the new constitutional advance of the country does not seem to have occurred to the members of the Statutory Commission; and its potentialities have certainly not been explored by them, nor indeed by any of the many committees that have till now been set up to deal with the varied problems of Indian defence.

In addition to the two considerations already urged by the Simon Commission as distinguishing the case of India from that of any of the self-governing Dominions, a third contrast not only with the Dominions but 'with almost the whole of the rest of the world' is said to arise from the fact that

'India presents to the observer an astonishing admixture not only of competing religions and rival races, but of races of widely different military capacity. Broadly speaking . . . those races which furnish the best sepoys are emphatically not those which exhibit the greatest accomplishments of mind in an examination. The Indian intellectual has, as a rule, no personal longing for an army career. . . . The contrast between areas and races in India that take to soldiering, and those that do not, has no counterpart in Europe. Whereas the most virile of the so-called martial races provide fine fighting material, other communities and areas in India do not furnish a single man for the regular army. The Punjab supplies 54 per cent. of the total combatant troops in the Indian Army and, if the 19,000 Gurkhas recruited from the independent State of Nepal are excluded, the Punjab contingent amounts to 62 per cent. of the whole Indian Army. . . . We are aware of the suggestion, which is sometimes put forward, that this contrast does not represent so much a difference in military quality as a deliberate policy adopted by the army authorities

for some sinister purpose. The simplest and shortest answer is furnished by the figures of recruitment from India during the Great War, when it cannot be suggested that any discouragement was offered to recruitment in any area. Bengal with a population of 45 millions, provided 7,000 combatant recruits: the Punjab with a population of 20 millions, provided 349,000 such recruits. The Punjab and the United Provinces between them provided three-fourths of the total number of combatant recruits raised throughout British India . . . the disparity is no doubt due to economic and climatic considerations, and to the unseen but potent influences of tradition and of race. . . . The plain fact is that the formation of an Indian National Army drawn from India as a whole, in which every member will recognize the rest as his comrades, in which Indian officers will lead men who may be of different races, and in which public opinion will have general confidence, is a task of the greatest difficulty . . . the obvious fact that India is not, in the ordinary and natural sense, a single nation is nowhere made more plain than in considering the difference between the martial races of India and the rest. It seems certain that in the future equal efficiency in the military sense . . . cannot be expected from all sections of the population in India. As things are, the presence of the British troops and the leadership of British officers secure that the fighting regiments of India, though representing only a portion of India's manhood, shall not be a menace to the millions who are conducting their civil occupations without any thought of the consequences which might ensue if British troops were withdrawn and the Indian Army consisted of nothing but representatives of the Indian fighting races.' (*Vide* paragraph 116 in pp. 96 to 98 of volume I of the Report.)

The above statement may appear formidable, as did the previous two considerations urged by them, if a close scrutiny of its contents is not made. The basis of the whole argument rests ultimately on the claim made that what is vaguely called 'military capacity' is possessed in a marked degree by some and hardly at all by others of the many races that inhabit modern India; but what exactly is meant by 'military capacity' is nowhere defined. It can hardly be maintained that the instinct of self-defence, which is innate not only in human beings but even in

animals, is wholly lacking in any of the many people of India. Nor can martial capacity, in these days not only of gunpowder but of other mechanical and chemical weapons of warfare, be any longer identified with physical stature and strength or personal valour on the part of the combatants. All that it can possibly mean is that some peoples of India have had in recent times pronounced martial traditions, while others seem hardly to have any noticeable trace of it. But this can hardly be held to be their fault so much as their misfortune, due to the accidents of their geographical habitat and historical vicissitudes.

The so-called fighting races of India with highly developed recent martial traditions, in the order of their numerical strength, are as follows: (1) Punjabi Mussulmans, a cheery, active, hardy people with good physique, endowed with a sense of humour. (2) The Gurkhas, from independent Nepal, mainly of Mongolian origin. They are short of stature, sturdy and strong, keen sportsmen, fond of games, and are born fighters. They are a very cheery and friendly people with a highly developed sense of humour. (3) The Sikhs, mostly of Jat origin, a tall, picturesque people of good physique, who make fine soldiers. (4) The Dogras, from the Kangra Valley that lies between the Ravi and Sutlej rivers, an honest, law-abiding, courteous people in peace times, who have proved first-class fighters in war. (5) The Rajputs, high caste Hindus with splendid martial traditions, who actually form thirty infantry companies and twelve cavalry squadrons in the British Indian Army and a large proportion of the forces maintained by the Indian States. (6) The Jats, also high caste Hindus residing in that part of India which forms the south-eastern portion of the Punjab and the north-western portion of the United

Provinces and northern Rajputana. They are mainly peasants of splendid physique and have proved themselves determined fighters. (7) The Pathans, Muslim tribes inhabiting the mountain regions in the north-western frontier of India, whose hardy qualities and clan-spirit makes them excellent fighters. (8) The Marathas, inhabiting the regions surrounding the western Ghats, traditional raiders and gallant fighters, who were very conspicuous in the period immediately preceding British supremacy. (9) Lastly, the Garhwalis, who come from the mountainous regions in the eastern portion of the United Provinces, and who provide good fighting material in the Indian forces.

Though it is undoubtedly true that the peoples named above, several of whom have been former rulers of parts of the country, have recent traditions of martial exploits, sturdy physique, great personal valour and powers of tremendous endurance, yet it cannot therefore be concluded that other peoples in India who follow peaceful pursuits are of little or no use for national defence purposes. The martial potentialities of the other peoples in India have not yet been explored or given any chance of expressing themselves. British authorities followed the policy of recruiting their Indian defence forces from the peoples who figured prominently as fighters in recent times. The Indian Territorial Forces Act of 1923, on the basis of which barely twenty-three Territorial units (including four urban battalions) have been formed for all India, where the selection is not confined to the classes recruited in the regular army, is not ten years old as yet and was hardly even five years old when the Statutory Commission visited India. The limited opportunity that it provided was hardly sufficient to warrant so sweeping a conclusion as to the chronic disparity in

martial capacity between the many different peoples that dwell in India to-day.

The Statutory Commission point out that there is a widespread ignorance of the needs of defence among Indian politicians. For instance, the Nehru Report, drawn up by the Committee of representative Indian public men appointed by the All-Parties Conference of 1928, by far the most authoritative document that Indian nationalists have so far produced, did not deal with the problem at all, either in its list of recommendations or even in the body of the Report. It contains only a cursory allusion to it in the introduction to the Report in which the authors admit that self-government without an effective Indian Army is impossible, but are nevertheless of opinion that India may attain Dominion status without waiting for a new Indian or Dominion Army to be created, on the ground that none of the Colonies was in a position to assume full responsibility for its defence at the time when self-government was granted to it, and that in the case of India the existing Indian Army might be transferred to the control of ministers responsible to Indian legislatures. The Statutory Commissioners point out on the one hand, that such vague generalizations about self-government can be no satisfactory substitute for the frank examination of the special difficulties of the problem of Indian defence in a thoroughly practical spirit; and on the other hand, that it is equally futile for those who realize these difficulties to treat them as insurmountable, and to carry on with the *status quo* utterly oblivious of the far-reaching implications of the goal of complete self-determination for India to which Britain is pledged.

In their own words, 'Britain cannot indefinitely treat the present military organization of India as sacrosanct and unalterable, but must make an active endeavour to

search for such adjustments as might be possible'. (*Vide* paragraph 126, p. 107 of volume I of the Report.) They hold that the fundamental difficulties which the Indian defence problem raises in the way of an advance towards the goal of Indian self-government, should be honestly stated and squarely faced; and claim that even though they may not succeed in putting forward any cut-and-dried solution, that they do make definite practical suggestions and recommendations towards this end in volume II of their Report. Before proceeding to discuss the nature and value of their specific suggestions, it may be pointed out that their analysis of the conditions of the Indian defence problem is superficial and consequently their estimate of the real needs of the situation is inadequate. Even if one concedes to the full the gravity of the menace on the frontiers of India, and the importance of maintaining a strong neutral armed force in India to deal with it and to maintain internal peace among dissentient elements and peoples of widely varying martial traditions, it does not exhaust the varied factors involved in the Indian defence situation. Their whole statement of the problem has followed the well-beaten track of the traditional approach to the question, and taken note only of the problem of land defence and of the nature and composition of the personnel of the land forces required for that limited purpose.

Hardly a word is said in their Report about the no less important problem of Indian maritime defence. A cursory glance at the map will show any one the strategical position occupied by India northward of the main sea-route between East and West. Have the members of the Statutory Commission forgotten that the balance of naval power has shifted from the Atlantic to the Pacific Ocean since the close of the Great War? While Germany has

ceased to count as a naval power, both Japan and the United States have gone ahead with formidable programmes of naval construction. Though the Washington Conference has resulted in restricting naval armaments, yet the proportions laid down by it have produced an actual preponderance of total naval strength in the Pacific waters and consequently transferred the centre of gravity of future naval action from European seas to the Far East. The key to a naval approach to Indian shores is held by Suez in the west and by Singapore in the Straits of Malacca in the east, as the circuitous alternatives of sailing round Africa or Australia may be dismissed as highly impracticable. So long as these two key positions are protected, as they are at present, a big naval invasion of the coast of India is unlikely. But this does not mean that minor naval attacks cannot take place on a considerable scale by means of raiders, mine-layers, and submarines which may all be equipped with bombing sea-planes. The islands near India, the Andamans in the east, and the Laccadives, Maldives, and Nicobars in the south and the west, as well as the 6,000 miles of India's sea-coast with its numerous unfrequented lesser harbours, afford ample opportunities and endless scope for the activities of hostile naval craft of the kind referred to above. The exploits of the *Emden* on the east coast near Madras in 1914, and of a single mine-layer on the west coast near Bombay in 1917, have revealed the possibility of havoc that might be wrought by similar means in the future.

Apart from the actual damage that may be done to India's greater and smaller ports and harbours extending from Karachi in the extreme west to Rangoon in the extreme east, there is the additional risk of damage to shipping and coastal and sea-borne commerce. As things

are, India is dependent upon countries abroad for great quantities of imports even in normal peace times. During war she is even more dependent upon the sea for the greater part of her munitions as well as for reinforcements of British troops. Even for certain arms and articles of equipment that can be manufactured in India, in many cases the requisite machinery and raw material have to be imported from abroad. The shifting of the centre of gravity of naval power to Asiatic waters has increased the risk of transports of men and munitions being threatened in the open seas, far more than it was during the Great War. The security of sea-communications is vitally necessary for even the success of land operations in India, if they should happen to be of any great dimensions; and India is far less prepared to assume responsibility for her naval defence than for protecting her land frontier.

In spite of what the Simon Commission have said, the fact remains that India has perhaps the safest land frontiers of any country in the world; and history bears this out. It is open to serious danger only for a brief span of about 600 miles from Bajaux and Shorewal, and that only through five great passes running east to west through the Sulaiman Range that divides India from Afghanistan in the north-west frontier. The most famous and best accessible of these is the Khyber Pass on the main route from Kabul to India, through which successive invaders have come in all ages. The strip of intractable land adjoining the Indian frontier inhabited by wild and disorganized tribes, and the domestic preoccupations of the countries that stretch beyond to the Mediterranean in the west, make it unlikely that there will be any formidable invasion from that quarter in any foreseeable future. In comparison with the north-west frontier, India's

north-eastern borderland in the frontiers of Assam and Burma has been singularly peaceful, and it is unlikely in the near future to present any serious problem because of the disorganized and chaotic condition of China. Nevertheless the Simon Commission have chosen to magnify the importance of land defence and neglected to deal with the far more urgent problem of Indian maritime defence.

Although barely over a century ago Indian pirates haunted the seas round the coast of India, yet India has never faced any serious invasion from the sea; and has no naval traditions of any kind. The prevalence of piracy in Indian seas, as well as the frequent hostilities between European powers in Asiatic waters, led the British East India Company to establish naval forces in Indian waters. Since the two earliest battleships, the *Dragon* and the *Hoseander*, arrived on the Indian coast in the early years of the seventeenth century, for over 300 years British naval forces have existed in India under varying forms and conditions. As far back as 1670 a naval dockyard for ship-building was first constructed in Bombay, which naturally became the head-quarters of British Indian naval forces; in this dockyard were built not only the vessels needed for the Indian squadrons, but also some important ships of the British Imperial Navy. Experience showed that Indian teak proved a suitable substitute for oak. A well-known Parsee family bearing the name of Wadia distinguished themselves as successful ship-builders; and this family was in charge of the Bombay dockyard for over a century.

The Indian naval squadron has a distinguished record of services. In peace time it specialized in hydrography and its surveyors mapped out the whole area from the far-off shores of East Africa and the Persian Gulf in the

west, right round the coast of India and Burma down to the Straits of Malaya in the east. Its war services include the stamping out of the menace of piracy altogether from Indian seas, and taking part in the Dutch, Portuguese, French, Chinese, Persian, Burmese, New Zealand, Egyptian, Abyssinian, South African, and Somaliland campaigns, as well as in the Indian Mutiny and in the recent Great War. The Royal Indian Marine of to-day is the inheritor of these traditions and may well form the nucleus of future Indian naval forces. As at present constituted, it consists of 4 sloops, 2 patrol vessels, 4 mine-sweeping trawlers, 2 surveying ships, 1 depot ship for training purposes, and 1 dockyard. Its personnel consists of over 1,000 men with about 100 officers, apart from the civilian staff working in the dockyard; and is commanded by a Rear-Admiral in the Royal Navy, known as Flag-Officer Commanding and Director of Royal Indian Marine. Its officers have been entirely British till very recent times, when the Commissioned ranks were at last thrown open to Indians. The warrant officers, petty officers, and crew are all Indians, and till recently they were recruited from a single district south of Bombay—the Ratnagiri District—but now the recruitment is open to all India. Though it is not, as at present constituted, primarily a combatant force and its duties are mainly those of troop and munition transport, port supervision, and marine survey, yet as forming part of the Imperial naval forces, it is responsible for the defence of the Indian coast and may be used for service in foreign seas as well. Its record gives one a foretaste of what may yet be attempted and successfully accomplished.

For years past India has paid £100,000 per year as her contribution towards the maintenance of the East Indies Squadron of the British Navy; and she has borne the cost

of the defence of her harbours and sea-ports, which have offered safe refuge to the ships of the whole Empire, as well as of all nations. But this will not suffice. All along her enormous coast-line live sturdy fishermen and other hereditary seamen out of whom coastal guards trained in the elements of maritime defence could be organized; and the pick of them could take their place as trained crews to man the guns provided in merchantmen or to staff further naval craft. Even though there is no need for India to embark on any expensive programme of naval construction so long as she continues as a member of the British Commonwealth of nations, much yet remains to be done in the establishment of dockyards, naval bases, munition factories, and the training of crews, if India is ever to bear any share of the burden of her own maritime defence, even as other self-governing dominions are doing. The days are gone for ever when Great Britain alone and single-handed bore the entire burden and responsibility of the naval defence of the whole Empire; and it is alike the duty and privilege of all parts of the Empire to share in the great co-partnership of mutual defence. Perhaps in no other sphere can the British connexion be shown to be more immediately necessary, not merely for the good of India, but for her very existence, as in the sphere of Indian maritime defence.

But the Simon Commission Report proceeds by laying down

‘that throughout the period during which India is progressing on the road to complete self-government, there must be full provision made for the maintenance and efficiency of the fundamentals of government. However much we may subscribe to the doctrine that good government is no substitute for self government, we must ensure that we do not put forward proposals that will permit of government being replaced by anarchy. It must be recognized that there are grave dangers in the situation of India that must be provided for. . . .

Whenever there has been wanting in India a Government strong enough to defend itself, invasion through the gateway of the North-West has occurred.'

So the first safeguard needed is,

'that the gateway should be safely held against the perpetual menace from the unruly tribesmen in the tracts and the possibility of an attack from a foreign enemy. It is an absolute condition for the development of self-government in India. . . . The army in India must be strong enough for its task. We hold that for many years the presence of British troops, and British officers serving in Indian regiments, will be essential. It would be idle to deny that this fact gravely complicates the problem of the introduction of an increasing measure of responsibility into the Central Government, but we believe that the proposals which we put forward for consideration with regard to the status of the army in India would reconcile the demands of security and of advance.' (*Vide* paragraphs 33 and 34 in Part I of volume II of the Report.)

The detailed proposals which it is believed 'would reconcile the demands of security and of advance' are set forth in volume II of the Simon Report, in Part V entitled 'The Constitutional Problem in relation to the Defence of India'. Therein they say:

'The land frontier of India exposes her in the north-west to a constant and pressing danger of a magnitude which is quite without parallel in any other part of the Empire. For her defence against this menace, India relies on an army which must be adequate in its higher command, staff and organization, sufficient in numbers, suitable in composition and efficient in equipment and training. . . . For a very long time to come, it will be impossible for the army entrusted with the task of defending India to dispense with a very considerable British element, including in that term British troops of all arms, a considerable proportion of the regimental officers of the Indian Army, and the British personnel in the higher command. The rank and file of the Indian Army are not drawn from all over India, but from certain martial races who themselves largely represent former masters of parts of India, so that the problem of providing them with a non-British command is of quite peculiar difficulty. . . . There is therefore a dilemma. The declaration of 20th August 1917

stands in its full implications; the British people and the British Parliament have no thought of going back on it; yet here is the difficulty, which appears almost insurmountable, arising from the continued presence of the British element in the army in India. It is impossible to relinquish control over an army containing this element to ministers responsible to any elected legislature. Such a transfer could only take place when no part of the army in India consists of British officers or troops recruited by the Imperial Government. When this will come about we cannot say, but we see no prospect of its happening for very many years. . . . At the present moment, no Indian holding the King's Commission is of higher army rank than a Captain. . . . Some of them are of an age which would prevent their attaining much higher rank. . . . A Higher Command cannot be evolved at short notice out of the existing cadres of Indian officers, all of junior rank and limited experience. Not until the slender trickle of suitable Indian recruits for the officer class flows in much greater volume, not until sufficient Indians have attained the experience and training requisite to provide all officers for, at any rate, some Indian regiments, and not until such units have stood the only test which can possibly determine their efficiency, and not until Indian officers have qualified by a successful army career for higher command, will it be possible to develop the policy of Indianization to a point which will bring a completely Indianized Army within sight. Even then, years must elapse before the process could be completed. In the sphere of internal security, also, the necessity for the presence of British troops . . . raises another difficulty. These British troops, recruited by the Imperial Government, must be under the orders of those whom the Imperial Government controls. . . . It would be impossible to contemplate the use of British troops to quell civil disturbances at the unrestricted bidding of ministers popularly elected and answerable to popularly elected legislatures. . . . The British soldier has not undertaken service on this understanding. Yet another difficulty . . . arises from the treaty obligations, incumbent on the British Crown, of supporting, in certain eventualities, the Rulers of Indian States. . . . It is impossible for the Crown to lose control of the instrument by the use of which in case of need the obligations . . . could be discharged. . . . In writing thus we may be falsely accused of want of sympathy with some very natural and legitimate aspirations. But it is exactly because we are not willing to leave matters at this point that we wish to begin by stating without

reserve or concealment, these two plain propositions. First, control of an army including a British element cannot be made over to an Indian Legislature. Secondly, so far as it is possible to forecast the future, the evolution of an entirely Indian military force, capable of undertaking unaided the tasks now discharged by the army in India, must be a very slow process indeed. If either of these propositions could be challenged, it would be easier to visualize the complete attainment of self-government in India than it is. But even if these two propositions are true, there is no reason for dropping the subject and treating further considerations as useless. . . . While we must do our best to bring out this essential difficulty, we must also make what contribution we can towards a constructive plan of dealing with it.' (Summarized from paragraphs 196 to 200 in Part V of volume II of the Report.)

Before proceeding to examine 'the constructive plan' put forward by the Simon Commission, it is desirable to scrutinize the 'two plain propositions' which they claim to have stated 'without reserve or concealment', and upon which their proposals are founded. So convinced are they of the truth of these two propositions, that they have committed themselves to the position that if either of them could be challenged, then their own proposals, which are based on these propositions, would also be necessarily undermined. Strictly speaking, they are not two independent propositions at all, but only two different and connected ways of stating the same thing from the respective standpoints of the British and Indian elements that now compose the Indian Army. Nevertheless, let each of these two statements, which are claimed to be fundamental, be examined for what each is worth. Taking the latter of the two propositions first, the statement that 'the evolution of an entirely Indian military force, capable of undertaking unaided the tasks now discharged by the Army in India, must be a very slow process indeed', is neither more nor less than to say that the British element in the Indian Army is indispensable alike for external

defence and internal security in the present state of the country and in any foreseeable future; and the former proposition merely goes on to state that this indispensable British element in the Indian Army cannot be handed over to the control of an Indian legislature. That the British element in the Indian Army is efficiently discharging its dual task of external and internal defence, is repeatedly pointed out by the Statutory Commissioners. But this fact is not in dispute at all. No one acquainted with Indian conditions would or could deny that for a moment. As a matter of fact the reiteration of this obvious fact suggests the conclusion that the British element in the Indian Army is indispensable for the external and internal peace of the country; and it is precisely this deduction that is open to challenge. Simply because the existing arrangement has been found to be very efficient for the purposes that it is intended to serve, it does not necessarily follow that there are no larger and different purposes to be pursued or other and additional means of accomplishing them. For instance, is it not now necessary to organize and train the Indian people to take an intelligent interest and active share in the problem of their own protection? If it be doubted whether the Indian people in their present unorganized condition and with all their mutual jealousies and rivalries are really in a position to undertake responsibility in this matter, it must be recalled that the problem of frontier defence is no new one and that it was successfully faced in pre-British days less than a century ago by the Sikh rulers of the Punjab. And as for internal peace in the country, is it not both possible and desirable to organize and utilize important non-Hindu and non-Muhammadan neutral minorities in the country for the prevention of domestic feuds between the major communities, without invoking

the aid of highly trained and equipped British armed forces for this purpose? The obvious duty of statesmanship is to utilize these resources so that the responsibility for external defence as well as internal peace may begin to be put on the shoulders of the Indian people themselves; but even so it does not follow that expert British aid is unnecessary either now or in the future. The British element in the Indian Army can render invaluable aid in the very process of educating and training the Indian peoples in the responsibilities of national defence, and not merely in affording them ready-made protection, as is the case at present.

The Simon Commission state as fundamental and unchallengeable that the control of an army including a British element cannot be made over to an Indian legislature, and that in any case the British soldier has not undertaken service on this understanding. So far as the latter consideration is concerned, they seem to have forgotten the very similar case of British officers in the Indian Civil and other services, who also have had to work under radically different conditions from those originally contemplated when they entered the service. In such cases the option of retiring on a proportionate pension was offered to all who were unwilling to continue under changed conditions of service. May not the same course be adopted in the case of those in the Army, who may be unwilling to serve under changed conditions of transfer of control to Indian legislatures? But if it is feared that such a course, if adopted, may be open to the grave risk of a very substantial, if not wholesale, depletion of the British element in the army on a far larger scale than in the civil services, then the option of direct recruitment of fresh, suitably qualified, British people, not only to the higher command but even to the rank and file of the Indian

Army, on sufficiently attractive terms, is still open to Indian legislatures. Instances are not unknown of British officers serving in Indian States' forces with great distinction in the past; and there is no reason why this should not be even more the case in the future than in the past. It is quite true that British troops recruited on present terms cannot be transferred to the control of Indian legislatures without their own consent; but this does not mean either that their consent cannot be secured on any conditions, or that future recruitment of a British element under different terms is impossible. On the contrary, as Indian legislatures come to realize more and more the urgency and vital importance of the need for Indian defence, they are likely to offer far more generous and attractive terms to induce suitable British people to enlist and serve in Indian defence forces, than those now offered in the service of the British Government in India. In this way it is seen that both the propositions, laid down by the Statutory Commission as fundamental for Indian defence, are open to challenge.

Let us pass from a scrutiny of these propositions to a consideration of their concrete constructive proposals for Indian defence in the immediate future. They say:

'India and Britain are so related that Indian defence cannot, now or in any future which is within sight, be regarded as a matter of purely Indian concern. The control and direction of such an army must rest in the hands of agents of the Imperial Government. . . . It seems to us that the only possible method would be to recognize that the protection of the frontiers of India, at any rate for a long time to come, should not be regarded as a function of an Indian government in relation with an Indian legislature, but as a matter of supreme concern to the whole Empire, which can only be effectively organized and controlled by an Imperial Agency. . . . Such a scheme assumes that the forces composing the existing army in India, would no longer be under the control of the Government in India, but would be under an Imperial authority which would naturally be the

Viceroy acting in concert with the Commander-in-Chief. It would involve an undertaking by the Imperial authorities of the obligations of Indian defence in return for the continued provision of definite facilities as to recruitment, areas, transport and other matters. And, of course, it would involve an equitable adjustment of the burden of finance . . . which would perhaps most naturally take the form of an agreement to provide from Indian revenues an annual total sum, subject to revision at intervals, and with the opportunity of sharing in economics. The contribution would be non-votable. So far, we are dealing with ordinary army expenditure. In the case of extraordinary or war expenditure, there is a broad distinction between the cost of expeditions or operations which are the result of tribal activities and must be considered a normal incident in the Wardenship of the Marches and exceptional expenditure rendered necessary by the organized attack of a foreign power. In the former case, the charges should, we think, fall entirely (as hitherto) on Indian revenue; while we feel that the circumstances may be such in the latter instance as to make a case for spreading the financial burden more widely. . . . In contemplating the possibility of a transfer at the present juncture of the administration of what is popularly known in India as Law and Order to elected Ministers, we also contemplate the continuance unimpaired of the British Parliament's ultimate responsibility for the maintenance of the public peace. It follows, therefore, that the Government in India which are exercising devolved powers in this sphere will have a right to look to the British Government for such measure of military force as may be necessary to enable them to discharge their obligations. . . . The impossibility of placing British troops under the uncontrolled orders of elected Ministers for the purpose of quelling disturbances of the peace and maintaining order, we would meet by requiring every demand for Imperial troops for this purpose to be put forward by the express authority of the Governor of the Province himself.' (Summarized from paragraphs 209 and 213 of Part V in volume II of the Report.)

The sum and substance of the recommendation is that the control of the army in India should remain in the hands of the Imperial Government and that at the same time the Indian tax-payer must bear the entire cost of the army, except in the solitary case of extraordinary expenditure incurred in war provoked by the organized attack

of a foreign power, in which case, circumstances may be such 'as to make a case for spreading the financial burden more widely'. Such a proposal is not likely to find favour or support, at any rate, from any responsible Indian quarter. It is not unnatural that those who pay for the cost of the army should desire to have some control at least over the forces for the entire maintenance of which they contribute the indispensable funds; to deprive them of even the meagre right of discussing the army budget that they now enjoy is certainly not practical politics. They say: 'The Central Legislature, as now, would not vote supply for the army; appropriations of revenue for this purpose, in accordance with the arrangement we have assumed, would be authorized by the certificate of the Governor-General' (*vide* paragraph 210 of Part V of volume II of the Report).

The proposers of the scheme in their tour through India must have realized how unpopular the army budget already is with the great mass of elected members in Indian legislatures. Such being the case, their own proposals are calculated to make them still more unpopular. The crude expedient of making the army budget non-votable will not save the situation, as it is only likely to provoke more dissatisfaction and suspicion towards the army and create fresh trouble. It is unfortunate that the Statutory Commission should have recommended for India such a scheme bristling with difficulties, and which is diametrically opposed in letter and spirit alike to the hard won and well-established tradition of the British Parliament towards the army in Great Britain. From the days of Charles I, when regular standing armies were beginning to come into existence in England, down to the days of William III, the control of the army was a constant cause of dispute between the King and Parliament.

There was widespread distrust of a regular standing army as a possible instrument of oppression. This ultimately found statutory expression in the famous Bill of Rights which laid down that the keeping of a standing army within the kingdom was unlawful, except with the consent of Parliament. Parliamentary consent was given for such an army raised for the purpose of subduing the followers of James II in Ireland; and its pay and strength were entirely under the control of the House of Commons. By the so-called 'Mutiny Act', passed annually from 1689 to 1879, Parliament kept control of the army; and it still continues to do so under the new Army Act of 1881, in lieu of the old Mutiny Act, by investing the Crown with powers to make regulations for the administration of the army and to frame the articles of war which form the military code. But the significant thing is that it is brought into force year by year by a special Act, thus giving Parliament the opportunity of introducing desired changes in the army. In this way the deep-rooted suspicion and prejudice against a regular standing army has been overcome in Britain. So it is perfectly easy to understand the far greater antipathy in Indian political circles towards a standing army, with a strong foreign element included as indispensable in it.

The members of the Statutory Commission themselves seem to have been uncomfortably aware that their proposals were of an extraordinary character and not likely to find general support. They say:

'We have been led to put forward the above suggestions for a new method of constitutional treatment of the problem of Indian defence, because we have earnestly sought for some means by which the obstacle to progress which the control of the army in India presents might be mitigated. To those who are tempted to say that the plan we have outlined is a derogation from the full range of Indian

aspirations, we would reply that special arrangements, suited to the necessities of each case, have been found necessary in the history of the evolution of more than one part of the Empire towards self-government. If such a treatment of the subject were regarded as inadmissible we should regret it, because the obstacle would remain.' (*Vide* paragraph 214 in Part V of volume II of the Report.)

Even a cursory study of colonial history would have shown them that so long as Britain maintained regular professional troops in the Colonies, their own local forces remained inert and inefficient. So it is far from helpful to suggest the maintenance of a strong and expensive professional army in India entirely controlled by Britain, without at the same time proposing ways and means of organizing local Indian forces. On this all important latter question, so full of possibilities for the future, all that the Statutory Commission have to say is:

'One of the consequences of our proposal is that it opens the question whether Government, in co-operation with the Central Legislature, might encourage the organization, training, and equipment of certain military, and, it may be, naval forces of its own, independently paid for and controlled, which would contain no British element. This involves technical questions into which we do not enter. We realize that financial considerations will of necessity impose strict limits on the size of such forces, for the heavy contribution to the maintenance of the Imperial Army in India on the one hand, and the demands of a progressive civil administration on the other, will definitely restrict the funds available for such additional military experiments. We appreciate the fact, however, that in the end a self-governing India can only hope to function with reasonable prospect of success, if it can command military forces of its own, and our proposal helps to remove an obstacle to the ultimate possession of such forces.' (*Vide* paragraph 211 in Part V of volume II of the Report.)

It is far from clear in what way the proposed scheme of the Statutory Commission will help towards the formation

of indigenous military forces under the control of Indian legislatures, if they are to include no British element at all even for the limited purpose of organizing and training such forces, and if scarcely any funds are available for the purpose. Apart from that, if the responsibility for external defence and internal security alike is to be entrusted to the regular standing army which is not under popular control, what function would then be left for the indigenous forces to perform? In order to clear up these issues, it is necessary to distinguish between different possible interpretations of the highly ambiguous term 'Indianization of the Army'. The primary question is, how are the defence forces in India to be made responsible to Indian legislatures? And all other questions of whether and how the officer ranks are to be filled by Indian instead of British cadets, and of whether and how the British garrison in India is to be entirely replaced by Indian troops, are merely of secondary importance. Had the Statutory Commissioners dwelt on the primary question of finding ways and means of making indigenous Indian defence forces responsible to the Indian people and made constructive suggestions to that end, instead of merely dwelling on secondary questions of British and Indian personnel in the Army, and elaborating existing difficulties, they might have materially helped towards the solution of this thorny problem and earned the enduring gratitude alike of Britain and India.

But the fact remains that their scheme does not touch the heart of the problem at all; if given effect to it is sure to lead to endless misunderstandings and deadlocks between the British and Indian elements in the administration of the country. They have been led into this unenviable position as the direct result of having pinned their faith on two dogmas which they deemed to be unchallengeable,

but which have been shown to be open to question. So it must be concluded that the Statutory Commissioners have failed to make any real contribution to the solution of the problem of Indian defence in relation to constitutional advance. Similarly the dispatch of the Government of India on the Statutory Commission's Report had nothing fresh to suggest to make good the failure of the Commission in this important and difficult matter.

The Indian Round Table Conference that was inaugurated by His Majesty the King-Emperor on the 12th of November 1930 entrusted to two out of its nine sub-committees the task of considering and reporting on different aspects of the problem of Indian defence. Sub-Committee No. 1 (Federal Structure) had to deal with the strictly constitutional aspect of the problem under the headings of 'Powers of the Executive' and 'Relations with the Crown'. Sub-Committee No. 3 (Defence) had 'to consider questions of political principle relating to defence, other than the strictly constitutional aspects' referred to above, and its terms of reference were intended to include such questions as Indianization of the Army and to exclude such minor administrative matters as the number of Sikh regiments to be maintained. The Defence Sub-Committee consisted of thirty members of the Round Table Conference, and it actually met only four times on four different days, and submitted a report that was subsequently adopted by the whole Conference.

The actual proceedings of the Defence Sub-Committee reveal not only the scope and extent of their Inquiry but also the lines along which they sought for a solution of the problem of Indian defence. The Chairman gave a lead to discussion by classifying the business entrusted to the Sub-Committee roughly under four distinct headings, as follows:

- (1) The Indianization of the Indian Army. What steps ought to be taken to bring it about? For instance, ought there to be provided similar opportunity for military training in India as existed in Britain?
- (2) The question of whether any separate force should be raised and maintained outside the regular army as suggested in paragraph 211 of volume II of the Simon Report. In that case, what about a unified control, as separate armies under dual control could not be contemplated?
- (3) The establishment of a Military Council to ensure unified control, and the question of to whom it should be made responsible.
- (4) The financial liability of India for the general cost of defence.

Indian members of the Sub-Committee inquired whether the above classification of the terms of reference would include the question of the actual pace or rate of Indianization, in which their own interest seemed focused above all other considerations. It was pointed out by them that both the Skeen Committee appointed by the Indian Central Legislature and the Statutory Commission appointed by the British Parliament, had understood Indianization of the Army in a restricted sense as merely the filling up of the officer ranks with Indian instead of British cadets, and not in the further sense of replacing the British garrison in India by Indian troops.

At the opening meeting of the Sub-Committee, Sir B. N. Mitra made a sensational announcement in the following words: 'I believe you will find if you inquire, that schemes have been prepared by the highest of military authorities which would surprise every one, that such a thing was possible as to Indianize the Army within a reasonable distance of time.' Then in the course of the

discussion which followed this statement, it was brought to light that soon after the Great War, in 1922, when Lord Reading was Viceroy and Lord Rawlinson Commander-in-Chief, when the Government of India was faced with a grave financial crisis and the Inchcape Retrenchment Committee had recommended drastic cuts in military as well as civil expenditure, a Committee known as the Military Requirements Committee was set up with Lord Rawlinson as Chairman; and that the Military Requirements Committee had recommended a reduction in the number of British troops in the country; and this was adapted unanimously by the Government of India and sent to Whitehall for approval. Also, it was stated that during the same period the Army Department of the Government of India had prepared a scheme for the complete Indianization of the officer ranks of the Indian Army, the first one-third of its officer cadre being Indianized in fourteen years, and then another third in seven years, and the remaining third in yet another seven years, making it complete in a period of twenty-eight years; and that this scheme, which had been prepared by Army experts, was unanimously approved by the Government of India and submitted to the Secretary of State. As a result of this, the 'eight units scheme' was introduced, and a reduction of about 10,000 was made in the number of British troops garrisoned in India; but the reports¹ on which these orders were passed were neither published nor placed before the subsequent Skeen Committee; and there is no allusion to them in the report of the Statutory Commission. Indian members of the Sub-Committee asked for copies of these reports; and the Chairman circulated to them a short memorandum containing extracts from the report of the Government of India's Committee of 1922.

¹ The Reports of the Rawlinson and of the Shea Committees.

It was urged by the Indian delegates that if such schemes had been approved both by army authorities and the Government of India, many years before 'Dominion Status' was within sight, surely it would not be out of place for them to be put before any expert body that might now be appointed to deal with the Indian defence question in relation to constitutional changes at present contemplated; and this was agreed to. But in all this, the attention of the Defence Sub-Committee and the conference was focused far too much on the secondary question of replacing British by Indian elements in the commissioned cadre and rank and file of the army, rather than on the primary question of ways and means of making the armed forces responsible to Indian legislatures, and this is evident from the contents of its Report. The Report claims that 'the discussion in the sub-committee centred mainly round the question of Indianization, and every aspect of this question received thorough attention' (*vide* paragraph 3 of the Report). While the former half of this statement is undoubtedly true, the claim in the latter half of the statement is not justified, in view of the all-important question of Indian defence being made responsible to Indian legislatures not having been considered by the committee. Discussion centred too exclusively on the secondary matter of how soon an Indian personnel could be substituted for the British element in the defence forces compatible with the requirements of military efficiency; and it completely lost sight of the major issue of the ultimate responsibility of the forces to the people of the country. Even in the minor matters that were actually considered by the Committee no unanimity was reached and it was resolved to incorporate the divergence of view in its Report. (For detailed examination of the Report of the Defence

Sub-Committee of the Round Table Conference see Appendix D, p. 278.)

Perhaps it may be urged here that the political issue involved in a transfer of responsibility for armed forces was deliberately left out of consideration by the Defence Sub-Committee, on the ground that it came under the strictly constitutional aspect of the defence problem that was referred to Sub-Committee No. 1 (Federal Structure). This was perhaps the most important of all the sub-committees, and it was presided over by Lord Sankey, who worked indefatigably to make it a success. But its terms of reference were so wide and all-embracing and the issues involved were so varied and intricate, that the Federal Structure Sub-Committee did not as a matter of fact come to grips with the specific problem of devising effective ways and means of transferring responsibility to the peoples of India for the defence forces in the country. It contented itself with stating that the 'broad statement of the principle of responsible government at the centre, which will be the ultimate achievement of the constitution now to be framed', required some qualification. There was general agreement in the Sub-Committee that the assumption by India of all the powers and responsibility which have hitherto rested on Parliament could not be made at one step, and that during a period of transition:

'1. The Governor-General shall be responsible for Defence and External Relations (including relations with the Indian States outside the federal sphere) and that

'2. In certain situations, hereafter specified, which may arise outside the sphere of those subjects, the Governor-General must be at liberty to act on his own responsibility, and must be given the powers necessary to implement his decisions. . . . It follows that from the fact that the Governor-General will be himself responsible for the administration of the reserved subjects described above, that he

should not be dependent for the supply required for them upon the assent of the legislature, and that the annual supply for their service should be treated . . . in a manner analogous to the Consolidated Fund Charges in the United Kingdom. The budget allotment would be settled upon a contract basis for a term of years. It would further be necessary to empower the Governor-General in the last resort to take such steps as may be necessary to ensure that the funds required for the reserved subjects are forthcoming, and also to secure emergency supply for these subjects in excess of the contract budget (e.g. in connexion with a sudden outbreak of hostilities on the Frontier). It follows that he should be empowered to secure the enactment of such legislative measures as may be essential for the discharge of his responsibility to these subjects' (*vide* paragraphs 11 and 14 in the Federal Structure Sub-Committee Report).

Such makeshift arrangements as these do not really resolve the fundamental contradiction involved in transferring responsibility for finance to Indian legislatures, while reserving responsibility for defence in the Governor-General's hands. The situation is in no way improved by urging that this is only a temporary arrangement intended to last 'during a period of transition', unless definite machinery is devised at the same time for effecting the transition and enabling Indian legislatures to assume responsibility for the reserved subjects. It is precisely this all-important task that has not been done or indeed even attempted either by the Federal Structure or the Defence Sub-Committees; and it is not therefore surprising that the proposals so far made for Indian defence are utterly inadequate to the needs of the situation and have failed to yield any real solution of the problem. The Indian National Congress has bluntly asked for transfer of control of the defence forces to Indian legislatures, without indicating the stages or the necessary ways and means by which such transfer can be effected. Mahatma Gandhi put forward the Congress point of view with reference to the defence forces, but he was unable to suggest any

practical ways and means of effecting it, with the result that he hardly got any support in the matter even from his Indian colleagues in the Conference, who were content to leave defence for the time being as a reserved subject. The only practical issue that came out of the Round Table Conference deliberations, so far as Indian defence is concerned, was the hastening of the steps to be taken for founding an Indian Military College for the training of cadets for the commissioned ranks of the Indian Army.

In pursuance of the Defence Sub-Committee's recommendation the Government of India was instructed to set up a Committee of Experts, British and Indian (including representatives of Indian States), to work out details for the establishment of a Military College in India. The Government of India accordingly appointed, with the approval of the Secretary of State, the Indian Military College Committee, consisting of six officials and eight non-officials from British India, and three representatives from the Indian States, with the Commander-in-Chief as Chairman, making in all a total membership of eighteen. This Committee issued its report in less than two months. The Commander-in-Chief in his opening speech to the Committee reviewing what had been done as regards Indianizing the officer ranks of the Indian Army, said that the 'eight units scheme', which had been introduced as an experiment, aimed at officering selected battalions with King's commissioned men down to platoon commanders, i.e. twenty-seven for each battalion, thus leading to the gradual elimination of the present Viceroy's commissioned officers; and that this would increase the cost of the Indianized units. For example, in the case of an Indian infantry battalion, if Indian commissioned officers were to receive present rates of pay, the cost

would be increased by Rs. 50,000 per year. He admitted that the 'eight units scheme' had not been popular, and had been described in Indian circles as 'segregation'. Nevertheless, he urged that it was an experiment involving some risk, and that the only way to test its success was by giving full command of some units to Indian officers without British control. But as modern war is not carried on by a heterogeneous collection of units but in formations—brigades, corps, divisions, each self-complete with its own cavalry, infantry, engineers, artillery, tanks, armoured cars, and additional services—he proposed to Indianize a complete division of the Indian Army of all arms and branches, and thus make a start with a real fighting proposition, and not merely an experiment. He stated that he was unable to advise further advance at present till it was seen whether an army officered by Indians was going to prove 'a fighting proposition' or not; and added that only by the gradual replacement of Imperial fighting formations in this way, could India eventually assume responsibility for her own defence. Then he pointed out that between the years 1918 and 1930, 175 vacancies were offered for Indian officers, but only 153 were actually filled by them. Excluding from this 44 who were then training at Sandhurst, 109 ought to have already passed out, but of these only 86 received commissions and out of them only 71 were actually serving in the army; thus showing a wastage of 64 per cent. in all. He indicated that the Government's proposal to Indianize a whole division of all arms and a cavalry brigade with proportionate ancillary services and staff would involve an output of about 60 Indian commissioned officers per year; and that the proposed Indian Military College should aim at producing this number every year in addition to a certain number of cadets for Indian States' forces. He said that the immediate task

before them was how to create a steady flow of fine young officers; and assured them of an increase in intake as soon as there was an adequate supply of the right type. He concluded with inviting the Committee 'to concentrate particularly on the question of the supply of suitable candidates, as the crux of the whole problem'. Accordingly the deliberations of the Committee were confined to the single issue of making proposals for the establishment of an Indian Military College with room in it for the training of about 100 cadets each year; and a report to this effect was submitted to Government.

The announcement of the new policy of Indianizing the entire personnel of a whole division of all arms instead of merely eight infantry and cavalry units, is not going to mean anything substantial for years to come, until the requisite number of Indian officers for a whole division have been trained and are available. The Commander-in-Chief's claim that what he was announcing was a definite practical 'fighting proposition' and not a mere experiment, is not intelligible in view of his own later statement that he could not advise further advance at present till it was seen whether an army officered by Indians was going to be a fighting proposition or not. The utmost that could be achieved by the announcement and the proposals was the gradual replacing of the British personnel of the officer ranks of one division of the Indian Army by Indian cadets, to be accomplished, perhaps, in the course of a century. Even if this slow process could be hastened by some miracle and the objective were immediately accomplished, it is in no way an answer to the very different all-important constitutional problem of creating armed forces in India, responsible to Indian legislatures. Apart from that, the Commander-in-Chief must have been aware of the increasing reluctance of

Indian legislatures to vote money for the Army budget. It is vain to hope that this reluctance will be made any less merely by the substitution of Indian for British officers. One reason why Indian public opinion has demanded the Indianization of the Army is on the ground of economy, in the fond hope that an Indian-officered Army would cost considerably less than a British-officered Army. So it would be a strange irony of fate if India were confronted with a scheme for Indianizing the officer ranks of the Army that would make it far more expensive than it is now with its overwhelming British personnel. From the wider standpoint of the needs of Indian defence in relation to the constitutional development of the country, the trend of the Commander-in-Chief's speech as well as the report of the Indian Military College Committee have contributed nothing.

In order to enable us to come to grips with the issues involved in the problem of Indian defence, it will be helpful to enumerate pointedly the specific defects in existing arrangements, which call for remedy; and these may be summarized as follows:

1. The present strength and quality of Indian land forces, in spite of recent reorganization and mechanization, are regarded by military experts as dangerously near the safety limit even in normal peace times. Indeed, they may be thought far from adequate in case international complications leading to war with foreign powers and grave domestic troubles should happen to occur together at the same time.

2. There is a lack of any adequate second line of defence or national reserve of trained man-power to draw upon in cases of need and times of emergency.

3. Indian naval forces are inadequate for coastal defence and even more so for protecting transport and communi-

cations in the event of war with a formidable foreign naval power like Japan, unless the entire resources of the British Navy were available to come to the rescue in such an eventuality.

4. As regards aircraft, the Indian air force as yet consists of only eight squadrons and one flight of heavy transport machines. The possibilities of developing the aerial defence of the frontier have not yet been fully explored; and as this comes to be done, it should lead to substantial reduction in the various kinds of land forces and facilities for land transport that were till now deemed indispensable for security.

5. Taking the strongest arm of existing Indian defence, the land army, the British element in its ranks is less than one-third, and the remaining Indian element, which is two-thirds, is largely recruited in or near about one single British-Indian Province—the Punjab—and from certain Indian States only. If Britain withdraws or relaxes control, there is grave danger of a military dictatorship being set up by one province over others, and of aggression on the part of certain States leading to internecine warfare.

6. So far as the commissioned ranks of the defence forces are concerned, the supply of suitable candidates, as well as the arrangements for their training, are far from adequate for the vast and varied needs of the higher command in the different arms of the Indian defence forces.

7. The Indian tax-payer and his chosen representative in the councils of the country are becoming increasingly hostile to spending a large share of the national revenues upon the equipment, training, and maintenance of armed forces. And they are likely to become more hostile, unless and until they are asked not merely to pay for it, but

also themselves actually to share in the burden and responsibility of defence.

8. So far as internal order is concerned, even the police budget is unpopular and comes in regularly for hostile cuts in every Indian provincial legislature. No attempt has been made as yet to train and utilize members of minority communities in the country to act as neutral forces to restrain serious tension when it occurs between the major Hindu and Muhammadan communities.

The long critical survey of the trend of State policy with regard to the nature and composition of armed forces in modern India, and the summary of the main defects in existing arrangements, make it abundantly clear that past action and present proposals alike in this respect have fallen far short of actual needs, and the situation is extremely unsatisfactory and full of danger. Not only more adequate arrangements for land, sea, and air defence are urgently necessary, but the tax-payer and his representative in the councils of the country stand in supreme need of being educated up to realize the needs of adequate all-round defence arrangements. In short, a radical nationwide effort is needed if the Indian defence problem is to be satisfactorily settled.

But is it practical politics to aim at such a radical and comprehensive overhauling of the entire defence arrangements of the country just at the very time when vast constitutional changes are contemplated and actually in process of being initiated? The Indian Statutory Commission took the view that it would be expedient to allow present arrangements for defence to continue till the constitutional experiment succeeds; and the outcome of the Indian Round Table Conference decision to leave defence as a reserved subject amounts to the same thing. As against this view, it is herein contended that not only

a radical overhauling of the Indian defence system is possible, but also that it is absolutely necessary if the gigantic constitutional changes now contemplated and attempted are to prove a real success. Indeed, the arrangements needed for adequate defence, and the conditions indispensable for constitutional advance, dovetail into each other in the life of the nation and are interdependent in such a way that neither can progress far without involving a corresponding progress in the other. The root difficulty in both cases springs from the self-same common source, the colossal ignorance and deep-seated indifference of the masses of the people with regard to even the elementary needs of public life. So what is really needed to remedy this is a comprehensive new scheme that will go to the root of the difficulty by devising ways and means of making the masses of the people themselves share in the ultimate responsibility for civil government and also defence, which have till now been the exclusive monopoly of an army of professional civil servants and soldiers.

So far as civil government is concerned, an effort is at last being made to throw the real responsibility for it on the shoulders of the Indian people themselves. Similarly, it is not only expedient but desirable that the burden and privilege of national defence should cease once for all to be the sole responsibility of professional defence forces, and come to be shared by all sections and classes of people in the country. It is not suggested for one moment that the professional element in defence should be eliminated any more than that the permanent official should be abolished from the civil administration. What is required is that both the professional civil servant and the soldier alike, whether British or Indian, should realize that public administration and national defence are no longer

their exclusive task, and that they are, not only in name but in reality, public servants and responsible instruments of the people and not their autocratic rulers, and that the ultimate responsibility for both defence and good government rests with the masses of the people themselves. This fundamental change in the status and function of the civil servant and soldier alike is inevitable, and must be frankly faced as necessarily involved in the change from autocracy to constitutional democracy. The civilian official has already partially undergone the change and will have to adapt himself more and more to it under the changed conditions that are already coming into being. The professional soldier has not yet begun to do so in India; and the substitution of the Indian for the British element in the army and the leaving of the defence arrangements as a reserved charge in the hands of the Governor-General, are not likely to conduce to the realization of the radical change in status and function that are inevitable under a system of responsible government. Meanwhile, the difficulties of finding adequate funds for the defence forces are likely to increase and not decrease with constitutional advance on present lines.

Till now, it has been customary both in Indian political, as well as in governmental, circles to regard the purpose and function of the armed forces in India as twofold: (1) to defend the frontiers of the country against foreign aggression, and (2) to maintain internal peace between the various conflicting elements within her boundaries. But these two aims are really quite distinct in nature and scope. The sources of possible foreign aggression towards India, and the causes of domestic trouble within India, are neither the same nor similar; and the nature of the preparations required to ward off the former must neces-

sarily be different from and of a more intensive character than the kind of measures needed to prevent the latter. The identification of these two distinct objects is neither sound in theory nor helpful in practice. It has proved a source of confusion of issues and is in no small measure responsible for the failure to reach a satisfactory solution of the problem of Indian defence. The needs of external defence, which must be estimated in relation to the trend of world affairs, must be clearly distinguished from the very different needs of maintaining internal peace, which must be estimated with reference to actually existing Indian conditions.

As modern warfare has become highly technical and scientific, India needs for her external defence by land, sea, and air, adequate highly-trained, well-equipped, mechanized defence forces; and from the nature of the case, this task must be entrusted to the hands of professional defence forces. But in this connexion, there must be borne in mind the tremendous change that has recently come about in the attitude of all nations towards the question of armaments, as the far-reaching economic and other results of the last great World War have come to be gradually realized by the victors as well as the vanquished. Quite apart from the serious world-wide economic distress that it has brought in its wake, it has also revealed the untold possibilities of widespread havoc and destruction that new scientific instruments of war can work, especially in the nature of aerial attacks and the use of poisonous gas, against which it is well-nigh impossible to put up any effective defence. For example, till quite recently the undisputed supremacy of the British Navy not only made the British Isles invulnerable but ensured absolute safety of communications for transport, food supply, and commerce to all corners of the globe. Drake and Raleigh

sailed forth in the splendour of full-sail 'hearts of oak'—the wooden walls of Britain. In the course of time, steam and oil-fuel transplanted the picturesque sailing craft of an earlier day and British engineering became supreme in naval construction. But Drake's drums still beat the 'reveille' of a nation to defend itself, and the grim steel walls of grey dreadnoughts have stood as 'a security for such as pass in the seas upon their lawful occasions that the inhabitants of the Island may serve God and . . . enjoy the blessing of the land'. Once more in our own day, the old order is changing, and the grey fortresses of steel which dominated all seas are already passing away into the twilight of a heroic past. During the last Great War the powerful men-of-war of the British super-marine Navy were rendered wellnigh useless against the new forms of aerial attack and submarine menace. During the last fourteen years that have elapsed since the close of the Great War, the phenomenal development in submarine and aircraft construction, as well as in the discovery of chemical weapons of warfare, have led to the rapid devaluation of accepted forms of land and sea forces. So it is not surprising that at the present time, even the foremost armed nations of Europe and America are themselves beginning to restrain the race for armaments and mutual rivalry in devising deadly weapons of destruction, and are at last seeking to explore the possibilities of general disarmament.

The Preamble to Part V of the historic Peace Treaty of Versailles concluded with Germany, and to the corresponding parts of the Peace Treaties of St. Germain, Trianon, and Neuilly concluded with Austria, Hungary, and Bulgaria respectively, at the conclusion of the Great War, laid down that, 'In order to render possible a general limitation of the armaments of all nations, Germany

(Austria, &c.) undertakes strictly to observe the military, naval, and air clauses which follow'. These clauses are of special interest, as they were intended to deal with the greatest single national army and the most perfect machine of war that the world had known till then, and was also to serve as a model for other nations to follow. When the draft of these clauses was first presented to the German delegation in May 1918, they stated, with reference to Part V of the Peace Treaty, that 'Germany is prepared to agree to the basic idea of the army, navy and air regulations . . . provided that this is a beginning of a general reduction of armaments'. To this the victorious allies replied in the famous words:

'The Allied and Associated Powers wish to make it clear that their requirements in regard to German armaments were not made solely with the object of rendering it impossible for her to resume her policy of military aggression. They are also the first steps towards that general reduction and limitation of armaments which they seek to bring about as one of the most fruitful preventives of war, and which it will be one of the first duties of the League of Nations to promote.'

So these clauses of the peace treaties that concluded the Great War remain as a solemn pledge that a general disarmament of all nations will be effected, a pledge by virtue of which the disarmament of the defeated countries has been already brought about. Under the terms of the peace treaties imposed on Germany and her allies and accepted by them, every detail of the armed man-power which they may maintain, their enlistment, training, organization, armament, transport, and equipment, as well as the whole sphere of fortifications and defence works, have been laid down as strictly limited 'exclusively to the maintenance of order within the territory and to the control of the frontier'. This solemn undertaking is

embodied in Article 8 of the Covenant of the League of Nations, which reads as follows:

'The members of the League recognized that the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety, and the enforcement by common action of international obligations. The Council, taking account of the geographical situation and circumstances of each State, shall formulate such reduction for the consideration and action of the several governments. Such plans shall be subject to reconsideration and revision at least every ten years. After these plans have been adopted by the several Governments, the limits of armament therein fixed shall not be exceeded without the concurrence of the Council.'

The Assembly of the League of Nations has since then set up several committees one after the other to inquire into the matter and make detailed plans for giving effect to the decision to disarm: but their labours were hindered mainly by the reluctance voiced by France to take any step towards disarmament so long as there was any room for doubt as to the ability of the League to protect a disarmed country against possible attack from any quarter. In order to meet this difficulty, the Geneva Protocol of 1924 suggested the creation of mobile forces to enforce the decision of the League in cases of necessity; but this was not acceptable to the members of the League as it imposed upon them the onerous duty of armed intervention on behalf of the League in such cases. At last a Disarmament Conference has been called and is now actually in session at Geneva. Its fate is in the lap of the gods, but whatever the ultimate results of the deliberations of the Conference may be, there can be no gainsaying the fact that four central European nations with hostile neighbours and extensive vulnerable frontiers have remained substantially disarmed since 1919. The independent republics of South America have restricted their armaments actually to less than what was allowed as the limit of

German defence forces; and all the independent republics of Central America in 1923 entered into a treaty among themselves for mutual reduction of their armed forces, and have accordingly limited them to the bare minimum required for internal peace and frontier control. The signs of the times make it abundantly clear, in spite of dark clouds gathering on the German horizon, that because of sheer economic necessity, if for no other or better reason, all nations will be compelled similarly to limit their armaments to the minimum necessities of self-defence instead of pursuing ambitious plans of aggression.

Such being the case with other already highly-armed nations in the world to-day, there is no need or justification for India, who is a member of the League of Nations and as such committed to the obligation of disarmament, to contemplate the building up of enormous armed forces on a ruinously expensive scale. As India is starting national reconstruction anew with a comparatively clean sheet as it were, she need not seek blindly to imitate in this respect the past policies of other nations, but would do far better to profit by their experience and learn from their costly experiments. Happily situated as she is, so far as her external defence is concerned, her only formidable neighbours are Russia, China, and Japan, who are all members of the League of Nations. Apart from that, Russia is too much preoccupied with developments in China and Manchuria in the east and with her own domestic problems of economic reconstruction, to attempt aggression towards India in the south. China is far too much torn with internal dissensions and has to face the big problem of setting her own house in order and ensuring the safety of her own borders, before she can threaten India in any way. Japan has only just emerged from a big war with China which has seriously taxed her resources,

and she is already far too much entangled with her commitments in Manchuria to prove a menace to India in the near future. The minor States in the neighbourhood of India like Afghanistan, Persia, Iraq, and Arabia are also far too full of domestic preoccupation to be able to attempt anything in the nature of an invasion of India for a long time to come.

So the only immediate cause of anxiety from outside lies in the unorganized territory in the north-west frontier of India, inhabited by wild and warlike tribes, who, however, have no modern equipment or training. The problem of dealing with them effectively, entrenched as they are in their inaccessible mountain fastnesses, has been unexpectedly made easy by the recent development of aircraft. The Indian Air Force has already proved of immense value in suppressing tribal risings, and in December 1928 it accomplished the wonderful feat of rescuing 586 men, women, and children of many nationalities from Kabul over lofty snow-clad mountains in mid-winter, without the loss of a single life. This reveals in what way the immediate problem of the tribal menace from the north-west frontier of India can be successfully met. Besides, because of her connexion with Britain, India is assured of powerful support in the event of any unforeseen threat from outside to her territorial integrity. So there is really no cause for serious anxiety so far as India's external defence is concerned, especially if India chooses to continue as a full and free member of the British Imperial Commonwealth of nations.

But the problem of maintaining internal peace and order amongst the conflicting elements within India is far more complicated and difficult than even the problem of her external defence. From the very nature of the case, the exact places where, and the precise occasions when, the

smouldering embers of communal tension between the combustible elements in her heterogeneous population may break into conflagration cannot be so easily foreseen and definitely localized as the vulnerable points in her frontiers. Besides this, the grave risk of the development of a military autocracy on the part of some Indian State or Province which may happen to possess recent martial traditions as against others not similarly developed, will have to be safeguarded against. The only way in which this can be satisfactorily effected in the last resort is by the creation of genuine martial traditions of self-defence in vast areas and among whole sections of people who have enjoyed uninterrupted tranquillity for generations and have not had occasion to take any interest or share in its maintenance: and this is no easy problem. But on the other hand, even though the needs of internal security are so widespread, they do not require the same highly-trained and expensively well-equipped and up-to-date mechanized forces as are necessary for foreign operations. Armed police reserves supplemented by picturesque, old-fashioned infantry and cavalry, equipped and trained in the simpler style and manner of former times, would be adequate for the purpose; and it is neither necessary nor desirable to maintain highly-trained and well-equipped professional armies for quelling local riots and maintaining order amongst a disarmed people. In the ordinary course of events, the police force looks after the maintenance of public peace, and it is only when disorder of a more serious character occurs, with which the police are unable to cope, that resort has to be had to armed forces. Even so, there is no need to call upon the regular army to deal with this, until all other available local citizen forces have been tried and found inadequate.

In an earlier chapter, in dealing with the problem of

popular franchise in India, it was pointed out that the formation of local civic guards in rural and urban areas on a voluntary basis would help to interest and train the masses of the people all over the country in the rudiments of organized self-defence, while at the same time enabling them, through rendering such approved public service, to qualify for and earn higher franchise. It is not only possible but eminently desirable that a real beginning should be made in bringing home to the masses of the people a sense of responsibility for the maintenance of peace and order, and this can be best done by encouraging the younger generation of citizens between certain specified years of age in each village and local unit of habitation, to enlist in a local civic guard and undergo training in elementary police duties. This would give an invaluable opportunity of interesting and educating the masses of the people in the responsibility of local defence, and at the same time would relieve in part at least the necessity for the State to maintain large paid professional police and armed forces at the tax-payer's expense for the protection of person and property and the maintenance of law and order in the country. Public service of this kind for a specified period of, say, three or five years would prove a useful probation in citizenship, and might be recognized as qualifying those who have rendered it for earning higher franchise in the councils of the State.

Out of those who form the rank and file of civic guards in each local area, the best and most promising material in each taluq might be selected and given more intensive training and constituted into a taluq reserve force; the immediate responsibility for controlling this might be entrusted to the taluq board, just as the civic guard in each locality might be formed and maintained under the control of the elected local panchayat. Similarly, out of

the material available in the rank and file of different taluq reserve forces, it would be possible to select those who show special talent for this type of service and draft them into a compact and better equipped and trained district reserve force under the control of the district authorities; and out of these district reserves still more select and efficient provincial and national militias might be constituted and given more intensive training. In this way alone could a nation-wide scheme for internal defence be built up and brought into operation, one which would enable a survey of the whole population from the standpoint of national utility to be effected; the gigantic task being lightened by being apportioned in successive stages to the various public bodies, ranging from the village assemblies at the bottom right up to the federal legislatures. At every stage, each responsible body could arrange for the medical inspection of all its citizen material, and those who were declared unfit for active military training should be assigned wherever possible duties in the auxiliary services. Out of the vast masses of the peasantry of India, who form nearly 90 per cent. of the population and who for climatic reasons have to spend several months of the year in enforced idleness, could be formed in this way, taluq and district police forces and provincial and national militias, trained in a graded scale of national defence duties.

A comparatively small body of expert professionals, mainly, if not solely, consisting of those who have recently retired from the regular professional police and armed forces, might be usefully employed on a system of short term contracts to assist the various public bodies in constituting and training out of their citizen material disciplined forces educated in the rudiments of the art of defence and fit to undertake substantial responsibility for

the maintenance of the public peace. Of course, such a civilian militia with its rudimentary training would be of comparatively little use against a highly-trained foreign enemy; but that is not its immediate purpose even though in case of extreme emergency it might be utilized as a second line of defence behind the regular forces.

The auxiliary services, like the medical corps, transport, and commissariat departments, could be organized on an extensive voluntary basis round a small nucleus of trained professionals; and would give vast scope not only to various classes of men, but to women as well, to train for internal defence, and this could be utilized politically as a means for these people to earn the higher franchises in the country. For example, all who enlist in any capacity in these forces might be given the taluq franchise, while only those who have put in a certain number of years or risen to higher rank would be given the district franchise, and those who have had longer service or still higher rank would earn the highest provincial and national franchises. With the enormous population in India, it is not necessary to go in for conscription. With the prospect of earning higher franchise and wielding political power, there is adequate motive to induce sufficient numbers of people to enlist on a voluntary basis, especially as dependence on periodic monsoons and other climatic variation leave vast masses of people idle and unemployed for several months in the year. This scheme would provide an opportunity for the vast masses of the people of being profitably employed and of qualifying for higher responsibilities in the State; and a true statesmanship would utilize such a scheme to the fullest advantage.

As the scheme worked, it would also provide the means of selecting persons who showed special aptitude for such training and did well in it, and give them a chance of

enlisting in the regular forces as professionals who desired more intensive training. This enlistment need not be limited only to the land forces. Along the long coast-line of India are numerous classes of hardy fishermen who have been expert seamen from time immemorial, who have on the whole remained outside the scope of modern political influences and constitutional movements. They could be constituted into units of coastal guards and trained in the rudiments of naval defence; and, in the measure in which they availed themselves of this opportunity, might be given higher franchise and gain political power in the State. Thus, without embarking on expensive battleship construction, India could take a real share in her own naval defence, and at the same time train considerable masses of her hitherto unenfranchized people in the dual responsibilities of civil administration and national defence. So far as aerial defence is concerned, without undertaking an aggressive and ambitious policy, the State could encourage the spread of civil aviation and arrange for those who showed interest and aptitude in it to receive periodic training in aerial tactics and strategy in co-operation with the land and sea forces. Money spent in periodic annual camps and exercises would save the need for maintaining large and very expensive professional land, sea, and air forces; and the civil population who had had years of such instruction and training would be always available as a second line of defence for intensive training and active service in times of national emergency.

In this way, effective ways and means could be devised to enable the peoples of India to be trained to undertake responsibility for organizing and maintaining adequate defence forces for internal peace and external security; and it is a task in which British co-operation and help would be invaluable, and be most heartily

welcomed in India. For the gigantic enterprise of selecting and training the youth of the entire nation in the art and discipline of defence, a vast army of qualified instructors would be required. In the ranks of the domiciled European and Anglo-Indian community in India would be found many who have had experience of military training, and who might serve as instructors in the more elementary stages. But they would hardly suffice in quantity and quality alike for the task. In Great Britain there are numerous ex-service men out of employment, who could find useful and honourable employment as instructors engaged on special terms by the various public bodies in India. In this way there would be a great demand for qualified British officers and men for service in India, and they and their work would form fresh links in a golden chain binding India and Britain together.

Chapter VII

FINANCIAL ADJUSTMENTS

IN the earlier chapters constructive suggestions have been put forward with reference to each of the three main obstacles to Indian freedom, namely: (1) the widespread ignorance of the masses and their indifference to public affairs; (2) the frequency of acute and widespread communal tension; and (3) the need for adequate defence forces for external protection and internal security. It now remains in the last three chapters to unravel their main implications with reference to such matters of importance as (A) present and future financial needs and commitments with reference to actual Indian conditions and resources; (B) the character, status, and function of the public administrative services and more especially of the British element in them, under changed conditions of responsible government; and (C) the relations of the whole democratic constitutional venture in British India to the various more or less autocratic Indian Sovereign States.

More potent than the enumeration of population with its endless diversities and the measurement of vast distances with all their physiographical peculiarities are the startling contrasts in the economic life and lot of the Indian people, for whose welfare in the last resort every system of constitutional reconstruction should be attempted. But it is not intended in this section to attempt any elaborate discussion of controversial issues concerning the equity or otherwise of the actual details of the existing system of Indian taxation and public expenditure which have received much attention at the hands of official and non-

official experts. The scope of the present section will be confined to unfolding in outline, with explicit reference to existing arrangements and proposals, the financial implications of the scheme of constitutional reconstruction that has been formulated in the earlier chapters. A vital part of the scheme put forward in these pages is that the only way in which the masses of the people in the country can ever actually come to share in their own sovereignty is through the intensive development of local autonomy side by side with a strong Central Government. Now it remains to show what financial readjustments would be required for the dual purpose of establishing genuinely autonomous local areas correlated to strong central authority in mutual dependence.

From time immemorial the vast masses of Indian people have lived in humble villages of more or less compact area, situated in the vicinity of cultivated fields that provide their chief means of sustenance; and consequently agriculture has remained through all ages the one great outstanding occupation of the people. There are only about thirty-three towns in the whole of India which have a population of over 100,000, and the urban residents are reckoned as about one-tenth of the entire population of the country. Except for a few big cities and industrial centres the other towns combine the status of an urban municipality with that of being the head-quarters of surrounding rural areas. Large numbers of people reckoned as workers in the big cities and industrial centres do not really regard themselves as town dwellers, as they come from rural areas where they have left their families behind and where they return periodically during the planting and harvesting seasons, and for social and religious festivals. The villages in an Indian district run into thousands and they vary in size and population. Over three-quarters of the cultivated

area in the country is dependent upon uncertain rainfall, with the consequent risk of periodic famines that were very frequent in former times. British organization in recent decades has successfully grappled with this risk in many ways by the construction of several gigantic works of irrigation, the extension of railways and other means of transport, the development of industries and co-operative credit, and what may be described as a sound system of State insurance against famines. Nevertheless, the uncertainties of the annual monsoons still exercise a potent influence in Indian private as well as public finance. An unfavourable monsoon not only ruins vast multitudes of families that depend on cultivation, but also seriously upsets provincial and national budget calculations, and that not only for the year in which the calamity occurs, but in subsequent years as well.

Apart from this initial disturbing factor of uncertain rainfall, another peculiarity of the Indian financial situation is the appalling poverty of the vast masses of people with their very low standard of living. There has been no authoritative estimate of average income per head in British India since the beginning of the century, when it was estimated at Rs. 30, i.e. about £2 per head per annum. Since then some economists have estimated that there has been some progress resulting in the average income in certain parts of the country rising to somewhere between £5 and £8 per head per annum. Staggering as the low level of even these recent figures are, as an index of the poverty of India, yet they only serve to hide the terrible contrasts that exist in the actual distribution of the existing wealth in the country. The consideration of statistics of average incomes does not by itself bring out the further fact that the incomes are far from being evenly distributed among the population, but are actually concentrated in

the hands of a few high caste and wealthy people, leaving the vast masses with incomes far lower than even the meagre average.

This grievous inequality in the actual distribution of wealth is further aggravated in India by the no less grave disparities in the actual incidence of the prevailing systems of taxation in the country. The poverty-stricken Indian peasant who pays not only his land-tax, but also duties on salt, sugar, kerosene oil, and other articles of ordinary consumption, stands in startling contrast to the wealthy zamindar or hereditary landlord, who inherits vast estates without any death or succession duties, whose agricultural income is totally immune from income-tax and who under the permanent revenue settlement pays to the State merely a nominal charge, fixed over a century and a quarter ago and deemed to be immutable, while he himself is free to collect much higher rates from his impoverished tenants. The premier position of agriculture in the country naturally made its land revenue the backbone of the Indian tax system; and the more or less self-contained nature of the Indian village imposed strict limits to the possibility of indirectly taxing articles of common consumption; and these are practically confined to this day to such articles as salt, kerosene oil, tea, sugar, and matches. Tobacco and alcoholic drinks which bring in a big revenue in Western countries are available for consumption locally in a crude form, and so cannot easily be taxed under existing Indian conditions. Income-tax, which was imposed first in 1860, has not yet proved as profitable a source of revenue in India as it has in the highly industrialized countries of the West. During the last decade, with the expansion of India's foreign trade, customs duties have come to yield an enormous revenue which have now actually out-rivalled even the traditionally preponderant

land receipts. But it must be noted that although India has already built up a substantial industrial output, one which has led to its being recognized by the League of Nations as one of the eight principal industrial countries in the world, yet manufactured articles from abroad form by far the major portion of Indian import. Raw agricultural produce constitutes almost the entire mass of Indian exports, with the single exception of manufactured jute, of which India had a monopoly till the recent invention of the artificial production of jute.

The outstanding feature of Indian public finance from time immemorial to this very day is its highly centralized character. This is due to the succession of foreign conquests that so largely constitute Indian history. It was but natural under such conditions that taxes should be levied and revenues expended according to the decrees of victorious conquerors, and that the masses of the people should have acquired the tradition of regarding the autocratic will of their rulers as the sole basis and justification of public finance as of all other matters relating to the State. To-day, as throughout all centuries, India is a land inhabited by numerous village communities, more or less self-contained, each with its own radius of territory organized under the supervision of a local head-man. He is appointed or recognized by the sovereign as responsible for the collection of local revenues for the State, and his office has become hereditary in the course of time in accordance with the oriental tendency in such matters. In very early times the entire harvest of each village was gathered into a common heap, and, after the contribution in kind to the sovereign was set aside by the head-man, the remainder was distributed to all concerned according to custom and in consultation with the local elders. Whatever little measure of local autonomy village com-

munities may have once possessed in the remote past, it is certain that in the course of succeeding centuries it disappeared altogether; and sovereignty in India came to mean in theory undisputed landlordship of the soil and in practice the right to a considerable share of its produce. At the same time there came into existence a vast hierarchy of intermediaries between the sovereign on the one hand and the peasants on the other, whose main function was the gathering and administration of taxes for the State. But the Indian village head-man has survived all the vicissitudes of time and continues to be the final link in the long chain of civil officers through whom the administration of the country is carried on. He is the recognized medium not only for collecting taxes but for the transmission of all decrees of government to the villagers.

As a matter of fact, owing to historical causes, there are different systems in vogue in different parts of the country for the collection of land revenues. In certain parts it is collected direct from the ryot or cultivator by the agent of Government, known as the Collector in some Provinces and as the Deputy Commissioner in others. This is known as the 'Ryotwari' System and it prevails over a little more than one-half of the total area paying land revenue. In other parts the State realizes its land revenue from middlemen who have come to be recognized by statute as entitled to collect rents from the cultivators who are their tenants. In some areas the amount of the land revenue due to the State is fixed in perpetuity, while in others it is subject to periodic revision. A little less than one-fifth of the total area paying land revenue is held on a permanent settlement, while a little more than one-third is held by landlords subject to periodic revision (vide *Agricultural Statistics for India 1928-9*, vol. I).

Already in pre-British times the cumbrous primitive method of gathering State revenue in kind from the peasants had been abandoned in favour of cash payments in terms of coined money, fixed for a period of years. The best known of these pre-British financial settlements is that of the famous Todar Mal, who was the Hindu Finance Minister of the Emperor Akbar, according to which settlement the extensive territory then under Mogul rule was carefully classified, measured, and assessed at one-third of the normal produce every ten years, commuted into cash, with a uniform terminology and system of accounting which has survived to our own day. In this impressive financial settlement of Mogul times, one can detect in outline the foundations of the more elaborate and thorough system that has since come to be established under British rule. During the anarchy which prevailed during the interlude between the decay of Mogul authority and the establishment of British supremacy, the hereditary intermediate tax-gatherers took full advantage of the prevailing chaos and feathered their own nests by imposing numerous heavy surcharges on the impoverished peasantry. Such was the financial and administrative heritage to which the East India Company succeeded when it took over in the year 1765 the 'diwani', i.e. the administration of revenue and justice in Bengal, Bihar, and Orissa under the nominal authority of the Mogul Emperor in Delhi. Now every field is surveyed, marked, numbered, and assessed by some revenue official. Annually its area, crop, rent, and ownership are inquired into and registered, and all changes in boundaries noted in the village scale map; and from the mass of information thus collected, the Annual Indian Land Record is compiled within a few months of the close of each agricultural year, giving an accurate idea of the extent and prospects of every crop in the land ranging

from the poor villagers' kitchen gardens upwards to the enormous estates of wealthy zamindars. It is indeed a marvellous achievement, and one which has brought peace and security of tenure to the people.

Nevertheless the autocratic traditions of pre-British rulers in India as well as the commercial considerations which naturally animated the East India Company, account for the revenues of British India being treated as one, kept under central control, and doled out to the various Provinces. In the financial reorganization that followed the transfer of control from the Company to the Crown no change was made in this respect. Though in theory Provincial Governments were under the control of the Government of India, yet in practice they enjoyed extensive powers in executive and legislative matters; but as regards finance they could incur all but the most trifling expenditure only with the formal sanction of the Central Government. Under such a system revenues derived from every Province in the country were all treated as the property of the central authority, which distributed them according to its discretion, for its own purposes as well as for what it regarded as the actual needs of the different Provincial Governments under its control. This was not calculated to lead to either economy or efficiency in the administration. Provincial Governments, far from gaining any advantage, were liable to be reckoned as actually needing less if they economized in any way, and thus the incentive to avoid wasteful expenditure of public funds on their part was inevitably weakened; and conversely, as the growth of revenue in the Provinces brought in its train no compensating advantage of surplus funds available for provincial improvement, the stimulus for their developing public revenues was reduced to a minimum.

The first steps to remedy these defects by a process of financial devolution were taken about sixty years ago, during the viceroyalty of Lord Mayo, when, as an experiment, provincial administrations in India were granted by the Central Government a fixed allotment for the maintenance of certain public services such as the police, jails, education, and health. This sum was granted to them under certain specified conditions, to allocate the amounts as they deemed fit. They could also provide for extra expenditure if need be by raising local taxes. This initial experiment in financial devolution showed that further advance in the same direction was needed if an effective motive was to be created for Provincial Governments to develop resources in their respective areas and to exercise economy in their expenditure so that all spheres of provincial administration might find adequate funds for their growing needs. The next step towards provincial financial autonomy was taken in 1877 during the viceroyalty of Lord Lytton, when instead of fixed allotments granted by the Central Government, the Provinces were given either the whole or a specified portion of certain revenues calculated to cover the expenditure for the provincial services, which were now definitely entrusted to them. This involved a three-fold classification of all heads of revenue into (i) 'all Indian', i.e. revenue entirely earmarked for central expenditure; (ii) 'Provincial', i.e. revenue set apart solely to cover provincial expenditure; and (iii) 'divided', i.e. those heads of revenue a portion of which went to the Provinces while the remainder was utilized for Central purposes. The revenues that were either wholly or partially assigned for provincial expenditure were those that seemed most capable of being augmented by careful administration, such as forests, excise stamps, registration, law and justice, public works, education,

licence-tax, and provincial rates. Even so, as the income from these sources was found to be insufficient for the growing needs of provincial expenditure, a portion of the land revenue, which remained an all-Indian revenue, had to be assigned to the Provinces to supplement their own inadequate receipts, besides fixed cash allotments from the same source whenever found necessary. From 1882 till the beginning of the present century quinquennial financial settlements with the Provinces were made; but no vital change of principle was involved in any of them.

However, with the gradual development of the social services in the various Provinces, the need was felt to give Provincial Governments a more independent position and a more substantial and enduring interest in the management of their resources. Frequently, under the old system in times of financial stress the Central Government had absorbed for its own purposes surpluses standing to the credit of Provinces when the quinquennial settlement expired; and this destroyed all incentive for economy on the part of the Provinces. So in 1904 during the viceroyalty of Lord Curzon a quasi-permanent arrangement was adopted by which the revenues assigned to the Provinces were fixed definitely as not subject to alteration by the Central Government except in case of extreme need, or unless found to be out of all proportion to provincial requirements. This enabled Provincial Governments to know where they stood financially, to calculate their resources, and to reap the harvest of their economies. Also the Provinces gained by a new scheme of famine insurance introduced soon after, by which the Central Government took over from the Provinces the responsibility for the periodic risk of famine by placing to the credit of each Province exposed to famine a fixed amount

earmarked for famine relief; and in case this was found insufficient, further expenditure incurred was to be shared between the Central and Provincial Governments roughly on the basis of three to one. The Decentralization Commission, which investigated the whole question of financial relations between the Central and Provincial Governments, had no radical change to propose in the then existing system; nevertheless, during the viceroyalty of Lord Hardinge in 1912, the provincial financial settlement was made permanent, restricting interference in provincial budgets by the Central Government and substantially increasing the provincial share in revenue. The principle and procedure underlying these settlements is described in the Government of India's Resolution of 1912 when the last of these settlements was made in the following words:

'To meet its own expenditure, the Government of India retains, in the first place, the entire profits of the commercial departments, and secondly, all revenues whose locale is no guide to its true incidence, such as the net receipts from customs, salt, and opium. The income derived from these sources, is, however, insufficient to cover the cost of the Imperial Services, and an arrangement had therefore to be made by which the other sources of revenue should be distributed between the Central and the various Provincial Governments.'

The biggest step in Indian financial devolution was taken on the recommendations of the Montagu-Chelmsford Report. The joint authors surveyed critically in Chapter V of their Report the then existing financial settlement, and pointed out that it had proved a formidable hindrance to the establishment of responsible government in the Provinces. Their verdict may be quoted in their own words:

'We saw that the existing financial relations between the Central and Provincial Governments must be changed if the popular principle in government is to have fair play in the provinces. The present

settlements by which the Indian and Provincial Governments share the proceeds of certain heads of revenue are based primarily on the estimated needs of the provinces, and the government of India disposes of the surplus. This system necessarily involves control and interference by the Indian Government in provincial matters. An arrangement which has, on the whole, worked successfully between two official governments would be quite impossible between a popular and an official Government. Our first aim has therefore been to find some means of entirely separating the resources of the Central and Provincial Governments.' (*Vide* paragraph 200 on page 130 of Report.)

They started with a radically changed standpoint and held that 'if provincial autonomy is to mean anything real, clearly the Provinces must not be dependent on the Indian Government for the means of provincial development'. Their own recommendations are contained in Chapter VIII of their Report. They urged the abolition of the 'divided heads of revenue' on the ground that so long as they survived they would be viewed as a means of going behind the Provincial Government to the Government of India (*vide* paragraph 203 on page 132 of Report); and they recommended in its place the complete separation of revenues between the Central Government and the Provinces. The method adopted for effecting such a thorough division of revenues was to estimate the requirements of Central expenditure and to secure certain heads of revenue for this purpose, handing over all other revenues to the Provincial Governments, who were to be made entirely responsible for all provincial services. They insisted on financial devolution as the first desideratum of provincial autonomy; and reviewing the various heads of revenue decided that customs, non-alcoholic excise, including salt, general stamp duties, income-tax, and post and telegraph and railway receipts should be set apart as central revenues; and that land revenues, irrigation receipts, alcoholic excise,

forest produce, judicial stamps, registration fees, and some other minor items of taxation, should be wholly placed at the disposal of Provincial Governments. Even so, they were faced with the awkward result of a big deficit in the central budget on their suggested distribution. To meet this they recommended a temporary system of provincial contributions towards central revenue; and further to increase the taxing power of Provincial Governments they urged that a schedule of subjects of taxation reserved for the Provinces should be prepared, leaving in the hands of the Government of India all residuary powers of taxation.

A careful examination of the financial recommendations of the Montagu-Chelmsford Report reveals a lurking inconsistency. Certain parts of their report, emphasizing their purpose of achieving provincial autonomy as a suitable sphere for experimenting in responsible government, urged that all revenues should be at the disposal of the Provincial Governments, and that a reduction should be made therefrom to meet the needs of the Central Government, which were envisaged as strictly limited under normal conditions of peace. Their needs were unlike the needs of the Provinces, which were conceived of as likely to increase greatly, especially in the nation-building departments of education, public health and sanitation, agriculture, irrigation, and industries. But the authors of the report were unable to give full expression to this principle by placing all financial resources at the disposal of the Provincial Governments and by arranging for them to contribute at a settled rate to meet the needs of the Central Government. Such a procedure may have been feasible if the various Provinces had been autonomous sovereign States that had decided to federate for some common purpose such as defence against foreign aggression.

In that case it would have been natural for them to agree to contribute certain sums to the federal authority for such an agreed purpose. But under existing Indian conditions of a highly centralized government which was only just then beginning to concede autonomy to its various Provinces, it was impossible to carry it out. So the joint authors of the report were compelled by the force of existing circumstances to surrender the procedure of making the Provinces contribute for central expenditure and to adopt instead of it as a temporary expedient the earmarking of certain revenues for central expenses and others for provincial purposes. They themselves foresaw that the distribution they proposed involved difficulties, and that the revenues assigned for central purposes would be inadequate. So they had to supplement central and provincial revenues, by a further contribution of a certain proportion of the estimated surplus in each Province, arrived at by deducting estimated normal expenditure from estimated gross income under the proposed scheme of revenue distribution. This involved great disparity in the actual contributions which the different Provinces had to make for all-India purposes, and it gave rise to much dissatisfaction and protest in the Provinces most affected by it. Ever since then the question of apportionment of revenues and expenditure between the Central Government and the Provinces has dominated all financial considerations to the neglect of other and more fundamental aspects of Indian finance.

In order to work out the details of financial contributions from the various Provinces to the Central Government, a special committee, known as the Financial Relations Committee, was appointed with Lord Meston as Chairman. It disowned all responsibility for the principle of settlement by pointing out that it was bound by its terms of reference

not to put forward any change in the proposed Montagu-Chelmsford scheme of financial distribution, unless forced by overwhelming considerations to do so; and accordingly confined itself in general to working out the actual details implied in the Montagu-Chelmsford recommendations. It found that while it was easy to ascertain estimates of provincial revenues, there were serious divergences in estimates of provincial expenditure. So the committee decided to fix the initial contributions of the different Provinces to central funds on the basis of the extra amount that would become available for each Province through the new scheme of distribution of revenue; and it was recommended that these initial contributions were to be adjusted during a period of seven years so as to approximate to certain 'standard proportions' mainly determined by the taxable capacity of each Province, its indirect contributions to the Central Government and the relative incidence of central taxation in the various Provinces. Its recommendation, known as the 'Meston Settlement', met with varying reception by the different Provinces according as it affected them. Bombay, Madras, and Bengal were the strongest opponents of the scheme, but their reasons for opposition were not identical. In some cases the objection was to the initial contributions, while in other cases it was to the 'standard proportions'.

The Selborne Joint Select Committee of both Houses of Parliament decided to accept the scheme of initial contributions but rejected the proposed arrangement of 'standard proportions'. It urged that the objective should be, not a continuance of such contributions through re-distribution, but their total extinction. Though it was definitely opposed to making income-tax a head of provincial revenue, yet it conceded the right of Provinces to participate in the growth of income-tax revenue collected within their

prospective areas. Its recommendations were substantially accepted by Parliament and embodied as rules under the Government of India Act of 1919. The principle underlying these rules was the division of national revenue heads between the Central and Provincial Governments in relation to their respective functions. Generally receipts accruing in relation to provincialized subjects, including taxes imposed by the Provinces for their own purposes, were held to be provincial revenues and the remaining heads of revenue were declared to be central. The aim of such a division was to make the Provinces financially independent of the centre; and it represents a reaction from the former position in which they were wholly under the financial control of the centre. There was no attempt to strike a mean between these two opposite alternatives by making the centre and the Provinces financially interdependent. But as a matter of fact it had to be arranged that the immediate deficits with which the Government of India was at the time faced as an aftermath of the Great War were to be met by contributions from provincial revenues; but these were to be purely temporary and to cease when the position improved. These at first amounted to £7,400,000, but as the financial position of the Central Government improved they have since been gradually eliminated according to a definite formula.

It was anticipated that with the introduction of responsible government with a substantial measure of financial autonomy in the Provinces, funds would become available to Provincial Governments for prompting various schemes of social and economic development, without having recourse to fresh taxation. The Meston Committee were so confident in their calculations of immediate financial possibilities, that they claimed that it was possible in this wise 'to comply with the requirements of leaving each

Province with a surplus, and of inaugurating the new councils without the necessity of resort to fresh taxation' (*vide* paragraph 14 of the Meston Committee Report). But the actual trend of events has belied these anticipations. In the years that immediately followed the Great War, India like other countries had to face serious financial stringency. Instead of a scheme of development being initiated, all available resources were swallowed up in meeting the immediate task of reconstruction after the war and in substantially enhancing the salaries and emoluments of public servants, especially in the higher grades of the administrative services, to correspond with the general rise in prices, the increased cost of living, and the fluctuations of currency and exchange; also as an inducement for them to continue to serve under changed conditions in India. A combination of all these circumstances resulted in every Province, with the single exception of the Punjab, having a big deficit instead of any surplus in 1921-2, the very first year under the reforms; and the Punjab had a far smaller surplus than was anticipated. The expenditure on the nation-building departments entrusted to popular ministers was actually less at the close of 1922-3 than it was during 1921-2. In order to cope with this situation for the next three years there was a hard struggle in the Government of India and in the various Provinces to balance their respective budgets, by resort to schemes both of economy and extra taxation. Registration and court fees and stamp and alcoholic excise duties were raised by almost all Provincial Governments. There was a general tendency to put the blame for this state of affairs upon the financial scheme introduced by the reforms in general and by 'the Meston Settlement' in particular.

The Reforms Inquiry Committee set up by the Indian Legislative Assembly reported that

'the difficulty arising from finance has formed one of the main obstacles to the success of the Reforms. . . . It is due to it (i.e. the Meston Settlement) that ministers have been unable to enter upon a policy of progressive development in the spheres of administration committed to their care. If they had been able to do so, they would have been able to provide an answer to those critics who have reiterated the allegation that the reforms were a sham, and they would also have been able to consolidate their position or else have been required to make way for other ministers who could have enunciated a policy more acceptable to the councils which would incidentally have assisted in the establishment of the responsibility of the ministers to the councils.' (*Vide* paragraph 56 of the Muddiman Committee Report.)

They anticipated that some relief to the Provinces would come from the reduction of their contributions to central funds; but they also urged that the financial settlement introduced with the reforms should be satisfactorily revised as soon as circumstances were favourable.

But the Central Government was not then in any better position financially than the Provinces. Military expenditure, which was expected to decrease substantially after the close of the Great War, had on the contrary risen to huge proportions, amounting in 1921-2 to more than the whole net revenue of the Central Government for that year, if provincial contributions were left out. An attempt was made to cope with this by means of imposing increased customs duties; but in spite of it there was again a big deficit owing to a bad monsoon and general trade depression. So further increased taxation was resorted to by still higher customs duties, rates of income-tax and super-tax and duties on sugar, machinery, matches, and articles of luxury. Finally, as there was hardly any room for further taxation, the Inchcape Retrenchment Committee was set up, and on its recommendation drastic cuts were made in military and other items of central expenditure. This, together with the increase in the salt duty, at last enabled

the central budget to be balanced, and in the succeeding years substantial surpluses accrued. Then the Central Government was enabled not only to reduce the salt duty once more, but also to extinguish the excise duty on cotton goods, and in the end the financial contributions from the various Provinces.

Though this brought at last some relief to the financial stringency felt in the Provinces, it was unequal in its incidence. Some Provinces gained more and others less by it. A scrutiny of the provincial budgets since the extinction of contributions to the Central Government, does not show that the savings thereby effected were either available or utilized for advancing schemes of social and economic development. The total receipts for all the nine Governors' Provinces during 1929-30 amounted to £71,500,000, while the expenditure totalled up to £71,300,000; and though the provincial budgets in the aggregate show a small surplus, yet six out of the nine Governors' Provinces budgeted for a deficit, due in some measure to special circumstances and to general economic depression. Besides, the constitutional reforms introduced in 1919 had enormously enhanced the actual cost of general administration without liberating public funds for beneficent schemes of social and economic development.

Such was the state of Indian public finances when the Indian Statutory Commission visited the country. A most valuable part of their report is the contribution made to it by its eminent Financial Assessor, Sir Walter Layton. His review of sources of revenue and items of expenditure is illuminating and contains helpful suggestions. He points out that the main item of national expenditure is defence and that

'current expenditure on defence bears to the total expenditure of the Central Government a higher proportion in fact than any other

country in the world. . . . A recent comparison of the military expenditure of nations of the world shows that in this respect India is seventh on the list among the Great Powers and that her expenditure on armaments is between two and three times as great as that of the whole of the rest of the Empire outside Great Britain. Again, the total is not only high in itself and as compared with other countries, but it has also greatly increased as compared with the pre-War situation. India, in fact has not obtained any relief from the greater sense of world security which has succeeded the World War. On the contrary, her defence expenditure has risen even after allowing for the rise in prices, and has grown more rapidly than in any other parts of the Empire.' (*Vide* paragraph 248 in volume II of Simon Report.)

But he is of opinion that there is ground for hope that under existing arrangements, even if no radical or far-reaching change of general or military policy were to be introduced by the reforms now contemplated, there would be a substantial decrease in defence expenditure. Already in 1920 the Army budget had been stabilized for a contract period extending in all to five years, during which any savings effected would be devoted towards the new scheme of army mechanization. The Inchcape Retrenchment Committee had recommended a standard figure of 50 crores of rupees for defence expenditure, provided prices fell; but it had not specified to what extent prices should fall in order to justify the reduction suggested by it. As a matter of fact, prices have actually fallen since the date of that report, and when the present programme of mechanization is completed, defence expenditure may accordingly be reduced. The next biggest items in central expenditure are the debt charges and cost of general administration. So far as the former are concerned, thanks to the wisdom of India's recent finance members, interest on expensive borrowings has been substantially reduced through wise and timely conversion at favourable rates, and a definite programme has been laid down for the redemption of the

national debt and of maturing savings certificates. As to the cost of general administration, Sir Walter Layton says, 'it is commonly said, and with justice, that the Indian Government is expensive, owing to the level of salaries in the upper grades of the Indian services . . . automatic increases in time scales of pay already fixed involve at present a steady growth, at the rate of 25 lakhs a year, in the salary bill of the Central Government, the peak point of which has not yet been reached' (*vide* paragraph 25 in volume II of the Simon Report). Here also, even if no radical and far-reaching change of policy as regards recruitment and conditions were made in the administrative services of the country with the introduction of the reforms, expensive recruitment has been stopped already in many of the public services and in the remaining ones a diminishing ratio has been laid down; and different Provinces are already taking steps to reduce the existing high scale of salaries for future entrants. But on the other hand the constitutional reforms now contemplated are likely to more than counterbalance such savings by enormously enhanced expenditure.

As against this survey of central expenditure must be set the possibilities of central revenue. The biggest source of central revenue is 'customs', which since the Great War has exceeded by far even the traditionally big item of land revenue, and the yield from customs may be more rapid during the next decade than even the phenomenal increase that has been witnessed during the last ten years. Several gigantic irrigation works that have been wisely projected, like the Sukker Barrage on the Indus in Sind, the Sutlej valley scheme in the Punjab, the Cauvery Mettur project in Madras, and the Sarda project in the United Provinces, will greatly enhance the economic development of India within the next few years by transforming millions of acres

of barren land into fertile harvest fields. Apart from this, the extension and improvement of rail and motor transport and the construction of three new harbours at Vizagapatam on the east coast, Tuticorin on the south coast, and Cochin on the west coast, will all materially increase foreign trade and lead to a corresponding rise in customs receipts, which have already risen not so much due to higher rates of duty as to the increased volume of trade in recent years. But the realization of this hope is contingent on the wisdom of the fiscal policy of India's future ministers, as Sir Walter Layton has well pointed out. He says:

'the standard rate of duty of India's tariff, viz. 15 per cent., with 30 per cent. on luxury goods, is already high for a mainly agricultural country, and in some cases rates have been put so high as to be prohibitive. The match duty, for example, has almost ceased to yield any revenue at all. Up to the present, the increase of revenue has largely been obtained from a few main items, such as sugar, cotton goods, oil imports, jute exports, &c. But the revenue from miscellaneous imports has been increasing and may be expected to expand. It is possible that in a number of cases duties are already at or beyond the point of maximum yield, and that more revenue might be obtained from a general lowering of rates. Moreover, it might be worth while even from a purely revenue point of view, to lower duties, even at the risk of losing revenues at the moment, for the sake of encouraging the general economic development of the country. On the other hand, a policy of high protection, though it might stimulate the creation of particular industries in India, would be a charge on the existing economic activities of India, and would prevent the expansion of revenue which is here contemplated.' (*Vide* paragraph 251 in volume II of the Simon Report.)

Turning from the sphere of central finance to that of provincial finance, Sir Walter Layton points out that

'The figures up to 1928-29 in respect of which audited accounts are available show that expenditure has risen substantially, the rise since 1923-24 being no less than 22 per cent. But revenue has increased by

only 4 per cent., and it is clear that since 1925-26 the expansion in total revenue has been checked. This is in marked contrast with the situation at the centre.' (*Vide* paragraph 254 in volume II of the Simon Report.)

The foremost item of provincial revenue is the land-tax, which till the present decade had remained the biggest source of Indian taxation, but which has now been far outstripped by the customs revenue. Land revenue has risen as a matter of fact only by about $7\frac{1}{2}$ per cent. since 1912-13, if the yield from irrigation projects is excluded; and if the actual administrative cost of collecting it were deducted from it, it might show a definite decline instead of any increase. This means that its value as a source of revenue has gone down, and that the produce of the soil is actually benefiting the peasant or the landlord, or what is more likely under Indian conditions, the numerous middlemen, instead of the State. But the propertied classes who have practically a monopoly of the existing franchise, have voiced strong opposition to any increase in the land-tax; and various Provincial Governments in response to it have already made laws lengthening the periods of settlement, limiting the increase that may be made at any one settlement, and fixing the proportion of net assets from the land that may be levied as land-tax. These acts of legislation have added administrative obstacles to the natural stability of this source of taxation, and thus prevented land revenue in India rising to the level of post-War prices and economic conditions. As for excise, which was a very profitable source of revenue in the past, it is now threatened with extinction owing to a vigorous prohibition propaganda coupled with picketing and social boycott. Nevertheless as the vast masses of the Indian people have from time immemorial been accustomed to the normal use of alcoholic drinks, in some

Provinces excise revenue actually shows an increase, while in others it is more or less stationary. But in response to the agitation in political circles several Provincial Governments have already precipitately committed themselves to prohibition as the ultimate goal of their excise policy, and are meanwhile trying to mark time with the familiar expedient of maximum taxation in order to minimize consumption. So excise revenue is not promising for the future, as it is likely to be affected and reduced by the double cause of prohibition agitation on the one hand, and of illicit distilling and smuggling on the other hand, both of which, naturally enough, tend to accompany each other everywhere. Stamp revenue is about the only source of provincial income which shows any signs of assured increase. Apart from the normal growth of business, frequent borrowings, mortgages, and property transfers as well as litigation have contributed to the steady increase of revenue from general stamps and court fees. But if co-operative effort on a big scale is attempted by the State to improve the economic condition of the poverty-stricken peasantry and to deliver them from the grip of the money-lender; and if arbitration courts composed of the village elders come to take the place of the expensive litigation that now prevails; it will substantially diminish the present unhealthy rise in stamp revenue. Whether this dream of an economically emancipated Indian peasantry is realized or not, depends on the foresight and patriotism of India's statesmen. Whether they seize their opportunity and devise effective ways and means of encompassing so far-reaching a change or not, there can be no two opinions as to the utter undesirability of Provincial Governments banking on these items as profitable sources of revenue. If that were done, it would prove a short-sighted and suicidal policy which would spell disaster in the end.

The revenue derived from irrigation schemes is, from the standpoint of the State, in as anomalous and unsatisfactory a condition as the state of Indian land revenue. The cost of labour and material has everywhere tended to rise according to post-War conditions, but the assessment imposed by the State as water charges has in too many cases been allowed to remain at the pre-War level at which it was originally fixed. The result is that the net profit to the Government from old irrigation schemes has either decreased or ceased altogether. It is true that new schemes of irrigation, especially those which have brought virgin soil under cultivation, do yield high revenue—as in the Punjab; but when they have brought water-supply to already cultivated land, no adequately enhanced water charges have been imposed in several cases. The whole field of irrigation revenue is awaiting reorganization on a fair and profitable scale at the hands of some future Indian statesman who will have the courage and ability to impose it successfully and make it a fruitful source of public revenue. The last item of provincial revenue is that derived from the scheduled list of taxes, which is left optional to be imposed or not by Provincial Governments. The taxes enumerated therein are not very prolific and Provincial Governments as a whole have not as yet faced the unpopularity of imposing them. In some Provinces, betting and amusement taxes have been introduced; but, except for a very few big cities, their yield has been negligible. Apart from road tolls and some indirect taxes on commerce which are now open to be imposed only by local boards, there remain no other sources of revenue of any note in the scheduled list.

Sir Walter Layton has worked out an illuminating statistical table indicating at a glance the yield from the various items of central and provincial revenue collected

in a given year in the different Provinces; and comments on its contents as follows:

‘The table shows that there is a considerable divergence between the provinces in the extent of their dependence on various classes of revenue. Thus Bengal lives largely on the revenue from “Stamps”, most of which arises from litigation. It has contrived to add to its exiguous income from other sources, including amusement taxes, registration fees, &c. Excise is the largest item in Madras and Bihar and Orissa. In the latter province, as well as in Bengal, Land Revenue is low, owing to the permanent land settlement. In every other province the largest item is Land Revenue, which amounts in the United provinces to over 50 per cent. of the total revenue, while in the Punjab, Land Revenues and Irrigation account for nearly 60 per cent. The varying importance of these items of revenue in different provinces, their unequal expansion in recent years, and finally the abolition of the contribution which at first modified the effect of the new allocation of revenues between the provinces and the centre, account for the fact . . . that in comparison with the pre-War situation, some of the provinces are very much better off than others.’ (*Vide* pages 230 and 231 of volume II of the Simon Report.)

Having shown how provincial sources of revenue vary in nature and yield, he then describes how in the sphere of provincial expenditure a similar disparity prevails. He says:

‘It costs more to run a province with a scattered population than one which is densely populated: more teachers and policemen must be maintained per head of population; the cost of roads and of medical and sanitary services must be higher per head. Again, in provinces where salary and wages rates are high, the cost of a given service will be comparatively high. Physical facts, also, may determine the need for health or sanitary services, while it is obvious that a province with a substantial urban population, or a capital city, may require a larger police force per head than a rural province. We should not, therefore, in any case expect to find anything like equality in the expenditure of various provinces, either in proportion to the area or to population. The disparity, however, between the total expenditure per head in various provinces which range from 1·8 rupees per head in Bihar and Orissa, and 2·5 rupees per head in Bengal to 8·3 rupees per head in Bombay, and 8·6 rupees per head in Burma, is so great that it is

impossible to believe that it can be entirely accounted for by the considerations that have been mentioned. These figures . . . point to the conclusion, which is in fact borne out by general observation, that the standard of service rendered by provincial governments—both in quality and in amount—is appreciably lower in the poorer parts of India than in those which are more well-to-do. In concrete terms the amenities of life, the liability to disease (in so far as this is dependent upon sanitary and medical facilities), are by no means the same throughout India. Whatever the cause of these differences, their existence cannot be left out of account in considering a new financial adjustment. It also cannot be ignored that for the reasons given—namely, the different yield of particular kinds of revenue in different parts of India, their unequal growth in recent years and the abolition of the provincial contributions—the irregularities have been accentuated under the reforms. Immediately after the War, practically every province had to face a big increase in salary rates. In Bengal this more than counterbalanced the increased spending power which the Meston Committee estimated that the province would receive under the new financial settlement; and in every other case, even if the rise of salaries and wages did not create a deficit in the budget, the expectation on which the financial settlement was based was falsified. In the next year or two there was a strong effort made in every province to reduce expenditure, often with the assistance of a retrenchment committee. During this period very few provinces were able to increase expenditure in development and national services. In 1925-26, however, the remission of contributions placed certain provinces in a more favourable position. The provinces have devoted substantial sums to education, public health, irrigation, and other objects of social and economic amelioration. . . . Of the smaller provinces, Bihar and Orissa, and to a less extent Assam, show the same lack of development as Bengal. The disparity is even more pronounced in comparing the budgets since 1925-26.' (*Vide* pages 232-4 of volume II of the Simon Report.)

Apart from this it will be instructive to examine at close quarters the beneficent schemes adopted by the more-favoured Provinces, in order to ascertain to what extent they were of benefit to the enfranchised classes of the population, and to what extent to the as yet unenfranchised masses.

Turning from the survey of past and present revenue and expenditure in the Provinces to the more urgent problem of their future financial requirements, Sir Walter Layton says:

‘Even in Madras, which has benefited most from the remission of its contribution, the rising income is already mortgaged. Expenditure on education and public health have both risen substantially: but it has not yet been possible to embark upon a universal compulsory education scheme. It is extremely difficult to estimate what compulsory education would cost. In Madras two estimates have been made, one involving nearly nine crores a year additional expenditure, and the other five crores a year additional expenditure. It would probably be a long time before either of these figures could be reached, but it is significant that even the lower of these figures is a long way ahead of the possible expansion of revenue in Madras. In other provinces more moderate estimates have been framed as to what it would cost to start with compulsory education, but in every case even a small start in this direction is quite out of the question from existing resources. In this matter of future requirements we are, in fact, in the realm of conjecture, but it can hardly be open to question that expenditure on functions falling within the provincial sphere could well be increased, without extravagance and to the great economic advantage of India, by from 40–50 crores within the next ten years as compared with an increased expenditure of 15 crores in the past decade. This means that the revenues of the provinces need to be increased by something like 50 per cent. We thus come to the heart of the problem, which is to find further revenues of this order of magnitude and to devise a financial plan by which they can be made available to those governmental authorities which need them.’ (*Vide* paragraph 263 in volume II of the Simon Report.)

This survey of existing conditions brings out vividly (i) that ‘the mass of the people are extremely poor’; (ii) that India ‘is incurring expenditure on the primary functions of government such as defence and the maintenance of law and order, as high in proportion to her wealth as Western nations’; (iii) while ‘her expenditure on social services such as education, health, sanitation, &c., on the

other hand is far behind Western standards, and indeed in many directions is almost non-existent'; (iv) 'the insufficiency of India's revenues to provide adequately for the latter class of expenditure has been a factor of political importance in that it has created dissatisfaction with the very small headway that it has been possible to make in the direction of social amelioration under the Reforms' (*vide* paragraph 238 of volume II of the Simon Report). Comparing conditions in India with those prevailing in other countries, Sir Walter Layton says,

'the ratio of total taxation to national income in India is only about 6 per cent. . . . In Britain the proportion is about 20 per cent. It is, perhaps, even more significant that the ratio in Japan, which is an oriental country with a low standard of living, is also about 20 per cent. It is clear, therefore, that in comparison with other countries, the proportion of the income of the nation which is taken by the tax-gatherer is low. It is commonly assumed that this ratio cannot be raised owing to the poverty of the people, and it is of course true that it is impossible to take in taxation as large a proportion of the income of people who are living on a bare subsistence level as is possible in cases where there is an appreciable margin over the minimum of life. . . . But though the population of India consists in the main of extremely poor people, it is at the same time a country in which there are large accumulations of wealth on which the burden of government rests very lightly. In spite of the wide-spread poverty in India, I see no reason to doubt that the public revenues of India can be substantially increased without taxation becoming intolerable, provided that its incidence is adjusted to the capacity of tax-payers to pay and that heavy additional burdens are not put upon primary necessities. On the other hand, there can be little doubt that, in conditions such as those which now obtain in India, it should be possible to stimulate production and to increase the welfare of the people by public expenditure designed to give greater economic security (by irrigation works, improved and more varied methods of cultivation, &c.), better physical well-being (sanitation, water-supply, improved public health), and education. Indeed taxation may be the only practicable means of creating a better and more secure livelihood.' (*Vide* paragraph 239 in volume II of the Simon Report.)

He points out, besides, that there were constitutional hindrances to any improvement being affected in the situation. These are enumerated as follows:

1. 'New taxes must either secure the approval of the elected members of the provincial legislatures or of the Central Legislative Assembly as the case may be, or else must be raised by the exercise of the exceptional powers of the Governor or the Governor-General. Neither elected representatives nor the Government were willing to go very far in this matter. So far as the former are concerned, members of neither the provincial nor the central legislatures are willing to incur the unpopularity of voting increased taxation so long as there are no means of ensuring that the revenue will be spent in services which they might wish to develop or so long as it can be argued that resources might be obtained by reducing expenditure on services not under popular control, such as the Police in the provinces and the Army at the centre. On the other hand, there is at present no provision in the constitution by which the Central Government could use its resources to subsidise the social services falling within the provincial sphere, even if it wished to do so; and in any case there are very definite limits to the extent to which an irresponsible Government can force increased taxation on a poor country. Hence neither legislatures or Government have been willing to take action.

2. 'The problem of financial relations between the central and provincial authorities in any country is ideally solved where the sources of revenue which, from the administrative point of view, fall naturally within the sphere of the provincial governments harmonize so far as their yield and elasticity is concerned with the functions which are assigned to those Governments, while those which are naturally central sources accord with the functions of the Central Government. One of the chief difficulties of the Indian financial problem is that this harmony between the distribution of functions on the one hand and the allocation of sources of revenue to the Provinces and the Centre respectively, on the other hand, is lacking. Indeed, the contrary is the case, for whereas nearly all the functions which will require large expenditure in the future fall within the provincial sphere, the revenues assigned to them show a quite inadequate increase, while the Central Government, whose expenditure should be stationary or falling, has assigned to it the only revenues which in recent years have shown expansion.

3. 'Finally the problem is complicated by the fact that the present

settlement has left the various provinces very differently situated financially, and this has created friction and dissatisfaction. The result has been to concentrate attention on endeavouring to secure a redistribution of existing resources rather than on increasing the total available funds.' (*Vide* paragraph 240 in volume II of the Simon Report.)

In this analysis of the root causes of India's inadequate revenues for her growing needs, it is significant that the financial expert puts in the forefront the unwillingness of Government and legislatures alike to explore the possibilities of fresh taxation and to shoulder the responsibility of imposing it. This means that the existing constitution is not adapted to overcome this difficulty; and that the most urgent need of the new constitution now to be introduced is to devise suitable ways and means of overcoming this crucial difficulty, so that adequate funds may be available for rapid strides to be taken in every walk of national life. Whatever ways and means be devised for this purpose, the initial condition of their success lies in the educating of the people themselves to the advantages of self-taxation. No system of constitutional reform for India, however ingeniously devised, will prove of any avail, unless it goes to the root of this matter and succeeds in devising such constitutional machinery as will throw the responsibility for taxation on the masses of the people themselves and train them in the most difficult art of taxing themselves for their own good; and they will never learn this lesson until they taste of the fruits of such action. Therefore it is vital that constitutional reform in India should begin, in financial affairs even more than in other spheres, at the bottom, and should train people in the possibilities of self-taxation for the public good, through a comprehensive system of local rates and duties to be raised in each local area for the improvement of immediate local

conditions. There is no use in expecting illiterate and ignorant villagers, who have through all generations been the victims of autocratic taxation imposed on them from above, suddenly to awaken to a sense of civic responsibility and pay for distant and dimly understood provincial and national purposes. Unfortunately, perhaps owing to the limits of the terms of reference, the writer of the report has not developed this line of thought with constructive suggestions, but has confined himself to reviewing existing sources of revenue and forecasting possible lines of advance.

The outstanding defects of the existing Indian revenue system are noted to be as follows:

- (a) 'The small yield from income-tax.
- (b) The total exemption of agricultural incomes from income-tax.
- (c) The absence of death duties.
- (d) The absence of any internal taxation on articles such as tobacco, matches, &c., although taxes on the former are almost universal in the Indian States.
- (e) The inadequate development of local taxation, particularly in rural areas.' (*Vide* paragraph 266 of volume II of the Simon Report.)

It is desirable to scrutinize these defects of the existing system of taxation in order to discover ways and means of increasing revenue. Indian income-tax, which has been in force for over seventy years, has not yet been developed to its full possibilities. The exemption limits both of Indian income-tax and super-tax have been fixed unduly high, and the rates unduly low as compared with other countries, with the result that only fairly substantial incomes come in for taxation. There is scope for increasing this source of revenue by lowering the taxable limits as well as by increasing progressively the rates for big incomes. Also Indian revenues have not profited from taxation of incomes derived from foreign investments, if such income

is not brought into the country within a period of three years. This has provided opportunity for evasion of the tax by inducing wealthy people to invest funds in foreign countries and to leave abroad their profits until the time limit for taxation is past, so that they may then bring it into the country free of income-tax. It is high time that this source was tapped in the interest of public funds. But by far the most serious defect of the Indian income-tax system is the curious fact that all agricultural incomes, several of which are derived from land on which only nominal land-tax is paid, have been totally exempt from income-tax, though they were not so exempted originally for a period of over twelve years when income-tax was first imposed in India in 1860. The produce from land is by far the biggest item in India's contribution to wealth; and it is high time that this source of revenue was made available for the State. Until this is done, it will be hard to introduce a graded system that will adequately tax the big landholders in the country.

Besides these developments of income-tax the introduction of death or succession duties will be a valuable means of distributing the burden of public taxation on those elements in the community that are most able to bear it, and who escape very lightly under the existing system. At present in certain localities there exists a low probate duty, which is confined in its operation to certain specified communities. In the interests of raising adequate revenues for progressive schemes and in order to distribute more equitably the burden of taxation in India, it is essential to discover ways and means of overcoming the difficulties arising from the diversity and complexity of the laws of inheritance prevailing in the country and of successfully imposing adequate succession duties. Besides, it may be noted that those who have a practical monopoly of the

franchise in India at present and are able to sway public policy, are the propertied classes who will be most affected by such taxation. Until this is remedied, and political power comes to be wielded by others till now unenfranchised, there is not much hope of these sources of revenue being made available for the State.

Passing from direct to indirect taxes, it may be noted that the salt tax is without doubt the most likely of all of them to spread the burden of taxation on all sections and classes of people in the country. It is taxed both by an excise on indigenous manufacture and by customs. It is best adapted for all the people in the country to share in its taxation, including the poorest elements who are untouched by other taxes. But it is essential that the rate should be reduced to the barest minimum, so that it may not weigh unduly heavily on the poor. Passing from salt to other commodities of more or less general consumption such as sugar, tea, coffee, cocoa, dried fruits, petrol, tobacco, and alcoholic drinks, local and imported, we touch possible sources of taxation, where there is not the same need for the State to confine itself to the barest minimum rate, and in which different Provinces may well have scope for varying rates. They are not concerned with what are usually known as manufactured articles, nor with the raw materials for other industries, but they represent easily identifiable goods of common consumption, which it would be difficult to smuggle into the country in any large quantity. It is easier in such cases to make the tax specific, i.e. to fix it as per pound-weight or per gallon, as the case may be. But in the case of manufactured goods such as clothing or machinery, it is inconvenient to tax a definite amount per unit, unless an elaborate schedule is drawn up enumerating a multitude of different items and needing perpetual revision as new types of goods are

produced and prices are changed. So in the case of such articles the customs duties have necessarily to be *ad valorem*, i.e. fixed at a definite percentage of the estimated value of the particular goods imported. Further, in the case of all such taxation, besides the primary aim of raising a sufficient revenue for the State, there may be subsidiary motives, such as the encouragement of particular classes of producers or the checking of consumption of a kind that is deemed to be socially injurious. But until the Indian constitution is so revised as to ensure the exercise of political power by all sections and interests in the country, it is vain to expect an equitable balance or satisfactory harmony of these different aims of taxation.

Apart from this, the Government of India, to a much larger extent than in Britain or America, participates in commercial and economic undertakings, partly owing to its development out of the East India Company which was a commercial corporation, and partly to the lack of private enterprise in the country. Already substantial profits are made by the State from such undertakings, and these help to keep the level of taxes in the country correspondingly low. The Government of Great Britain does derive a regular annual income from the shares that Disraeli wisely purchased on its behalf in the Suez Canal Company; and smaller profits also come in to the British Exchequer from Crown lands. Apart from these, the only other commercial undertaking of any magnitude that it attempts is the management of posts, telegraphs, and telephones, from which very little profit is made, as in these cases the aim is not to make revenue but rather to confer the facilities and benefits that come to the people at large from such well-organized, reliable, and regular services. Besides doing the same, the Indian Government controls and makes substantial profits from

railways, forest products, salt works, opium manufacture and sale, and gigantic irrigation works. The forest revenue consists of the proceeds from the sale of timber and other forest products, and fees levied for the granting of permits for grazing cattle or extracting timber, firewood, charcoal, canes, bamboos, and other minor forest products. Capital expenditure incurred in the conservation and production of valuable trees in forest areas is a valuable investment that will give enhanced profits in the future. The revenue obtained by the Government of India from opium is partly of the nature of an excise composed of fees for right of retail vend, and duty which varies according to local conditions, being highest where smuggling is most difficult; and partly of the nature of customs duties charged on imports from the Indian States. Chiefly, however, it arose out of monopoly profits from the sale and export of the produce of the poppy crops grown in specified areas under the control of the Government, and then, excepting a small quantity left in the hands of the excise department for local consumption, prepared in Government factories for foreign markets. But unlike forest revenue, that derived from opium is steadily decreasing and there is no prospect of its improving owing to revised treaty arrangements with the Chinese Government to ensure the stamping out of its harmful consumption in China, which has in the past constituted the chief market for opium.

While considerable attention has been given to these sources of revenue, comparatively little attention has been paid as yet to the possibilities of pisciculture in India. Madras is the only Indian province that now has an organized Fisheries Department. A survey of the actual success that has already crowned the modest Madras experiment, as well as the enormous profits that have come to be yielded by the South African Fisheries, gives

ample ground for hope that the resources of Indian inland waters and extensive sea coast, if properly developed, will come to yield vast profits and revenue.

Turning for a critical survey of existing sources of revenue, we come to the inadequate development of local taxation as the root cause of India's revenue difficulties. The fundamental defect of the Montagu-Chelmsford scheme lay in its attempt to introduce responsibility from the top, as it were, by seeking to establish some measure of autonomy in the various Provinces, without attempting to lay the proper foundations at the bottom by strengthening local autonomy in rural as well as urban areas. They do not seem to have realized that provincial autonomy in actual practice would repeat in the various Provinces precisely the same type of highly centralized autocracy that they sought to replace in the Government of India. Therefore, it is not surprising that their scheme of financial devolution extended only to determining the financial relations of Provincial Governments to central authority and did not seek to introduce any further radical devolution in local bodies as distinct from provincial authorities. But if financial devolution is the first desideratum of provincial autonomy, it is no less so in local autonomy. The inadequacy of resources to meet needs is nowhere greater than in the sphere of Indian local self-government. The main source of revenue for local authorities in rural India is a surcharge or cess levied on the land revenue or rent. In several Provinces, including those that enjoy a permanent revenue settlement, the rate is fixed subject to a maximum of one anna in the rupee and has remained unaltered for well over half a century. Speaking of this the members of the Statutory Commission say 'undoubtedly one of the reasons for the failure to develop a trained municipal personnel is the poverty of the Municipalities and the

District Boards. But it is not only actual poverty which cramps their resources, but the reluctance of the elected members to impose local taxes. This is a feature by no means confined to India; indeed the willingness of a community to impose high taxation on itself for common needs is proof of a very advanced civic consciousness. In rural India, the method of financing district boards is, as we have seen, by an addition to the land-tax. It is naturally difficult to get bodies composed of landholders to increase the burdens on themselves, and the tendency is to refrain from adding increased cesses and to demand larger subsidies from the Provincial Government. The system of grants-in-aid has done much in our own country to stimulate the development of particular services, but such grants are generally made conditional on the imposition of adequate taxation and the acceptance of a considerable measure of central control by the local authorities themselves. In India, the giving of grants, often unconditionally, to local authorities has gone so far as to divorce control of policy from financial responsibility. In Bombay Government grants amounted to nearly 60 per cent. of the revenue of District Boards.' (*Vide* paragraph 254 of volume I of the Simon Report.)

Interest in local administration is always slow in developing anywhere in the world because in the nature of things, devotion to the comparatively small everyday needs of little towns and remote rural areas is not calculated to bring the fame and power that the spheres of national and even provincial politics bring to public men. But in the peculiar circumstances of modern India, the development of local civic responsibility is handicapped not merely by the restricted scope and function assigned to local bodies and the lack of funds at their disposal, but also by the very nature of the funds allotted to them, as pointed out by the Simon Commission.

On the other hand the great success of parliamentary institutions in Great Britain is due in no small measure to the existence of a sound system of local autonomy in the country. The basic principles underlying the imposition and expenditure of local rates in Britain may be briefly summarized as follows: (1) That public administration is

managed most economically when control of expenditure is entrusted to the hands of those who bear the brunt of the burden of providing the funds; (2) that matters like street lighting, sanitation, and water-supply have a very special though not exclusive local interest and importance; (3) that certain of her sources of public expenditure, like the County Police and local Education Authorities, are better controlled by local authorities under the general supervision of national authorities, than by the latter alone.

The principle of equity which inspires British local taxation is based on the fundamental consideration that expenditure of local rates and taxes should result in benefits locally realizable, such as the enhancement of the value of land and buildings or other forms of property inalienably identified with the locality; or devoted to local reliefs and the betterment of local conditions. Hence the main source of local revenue takes the form of rates, reckoned on these forms of property or imposed with specific reference to immediately felt local requirements. It really amounts to a valuable form of compulsory co-operation for the mutual benefit of all concerned in a given area, which is of untold value as a means of potential political education and training for the larger sphere of provincial and national public life. It is calculated to teach the masses of people, as nothing else can, the difficult but invaluable lesson of self-taxation for public purposes. This is well illustrated by its remarkable development in Britain. The absence of similar training in small local areas in other countries, even in Europe, is an important cause of the failure of those nations to attain similar success in parliamentary government as they have sought to copy the British system at the top, as it were, without attempting to adopt those free civic institutions which lie at the foundations of the structure. In

Great Britain the greater part of local expenditure is covered by the local rates raised by municipal and county authorities, harbour boards, sanitary boards, education, poor-relief, and other authorities; and financial contributions from the exchequer for local expenses is correspondingly small.

The exact reverse is the case with such local authorities as exist in India, with funds of their own as distinct from national and provincial revenues. These are of three distinct classes, namely, urban municipalities, rural district and local boards, and port-trusts. The port-trusts, of which there are six for the principal harbours of India, unlike other government authorities, derive their revenues totalling about $6\frac{1}{2}$ million pounds sterling, from dues levied on services rendered for shipping and cargo; and after paying the interest on big debts incurred for port works the balance is devoted to the erection and maintenance of warehouses, jetties, harbour lights, docks, and other necessities. Of urban municipalities there are 780 scattered throughout the length and breadth of the country, which have between them an income of about 13 million sterling. Subject to considerable control from provincial head-quarters, they enjoy limited powers of taxation and administration. Without the previous sanction of the Government they cannot impose new taxes or raise loans or undertake any public work that will make any serious alteration in the budget sanctioned for the year. Corresponding to urban municipalities there are about 5,500 rural boards of different grades, whose entire aggregate income amounts to only about 12 million pounds sterling. The chief sources of revenue for municipal authorities consist of taxes on land and houses, water, conservancy and lighting rates, tolls on roads and ferries, duties on animals and vehicles; and in certain places a tax on trade or

profession. But the main source of rural revenue is from cesses imposed on agricultural land over and above the ordinary land revenue.

Unfortunately no suggestions are forthcoming either in the Layton report or the Statutory Commission's recommendations thereon, as to reorganizing and augmenting the resources at the disposal of local authorities throughout the country in order to make local autonomy a reality. They may have regarded it as a transferred subject for the development of which Indian legislatures have been made responsible since the 1919 reforms. Even so, according to the very terms of the Government of India Act, Parliament had not renounced its responsibility to review the situation and take such action as was found necessary. Of all branches of public administration in India, there is none more important or full of promise for the future as local self-government, and yet by a strange irony of fate this has been left to the tender mercies of an inexperienced and exclusive high-class enfranchised minority.

In the subsequent deliberations of the Round Table Conference, financial matters came up for considerable discussion, and a sub-committee of the Federal Structure Committee was appointed under the chairmanship of Lord Peel, especially to examine and report on financial matters. But owing to the lines on which the Round Table deliberations proceeded, attention was wholly focused on matters of federal finance and the just and equitable apportionment of resources and liabilities between the central federal authorities on the one hand, and the various federation units on the other hand. Its report was accepted by the parent committee with certain modifications, as a suitable basis for drafting the financial part of the new constitution; and this has in its turn been endorsed as such by the Conference as a whole. Since the close of the

Conference, a small expert body known as the Federal Finance Committee, with Lord Eustace Percy as chairman, was sent out to India in order 'to subject to the test of figures the suggested classification of revenues, and to estimate the probable financial position of the Federal and the Provincial Governments under the proposed scheme . . . and to advise as to the adjustments if any' that should be made. Also they were asked 'to examine and advise on a number of other connected matters', such as the treatment of pre-federation debts, powers of taxation, new sources of revenue and treatment of provincial contributions if found necessary, borrowing powers, division of pension charges and emergency powers of the Federal Government. But there is nothing either in the deliberations of the Round Table Conference or in the Report of the Eustace Percy Federal Finance Committee, or in the recent White Paper containing His Majesty's Government's proposals for the new constitution, on the all-important question of financial devolution to local authorities.

The greatest financial need of India under a system of responsible government is for the masses of the people to learn the great discipline and value of self-taxation: and this lesson cannot be learnt easily or in a short time. Yet until this difficult lesson is learnt by the masses, self-government cannot prove a success; and the new constitution will only result in the substitution of an Indian autocracy in place of the present British autocracy. The only way in which a people can ever learn this lesson is by the actual discipline of experienced consequences. Unless they themselves taste of the fruits, sweet as well as bitter, of the taxes that they have voted and paid into the public coffers, they will never learn the value of self-taxation. The importance of this for the success of the

experiment in setting up responsible government in India overshadows every other consideration. Yet financial experts, Indian and British alike, have been too much occupied with adjusting on an equitable basis the future financial relations between India and Britain or between the Central and the various Provincial Governments in India, to pay any serious heed to the urgent prime necessity of devising effective ways and means of educating and training the masses of the people in the discipline of self-taxation for public purposes. The granting of financial control to provincial and central legislatures and cabinets responsible to legislatures, which is all that has so far been proposed to be done in the new constitution, will not suffice. The objects for which provincial and national revenues are levied and expended are too far removed from the immediate interests of the average man to prove of any educative value to the masses of the people. Nothing short of genuine local financial autonomy will be adequate to bring home to the people at large the value of self-taxation as the mainspring of true national freedom and prosperity; and when this is accomplished unexpected new resources will open up and fresh heads of revenue will be found for meeting the ever-growing needs of Indian public life. Parliament may yet save the situation by insisting on this prime condition being fulfilled, as the indispensable foundation for Indian popular government.

Chapter VIII

ADMINISTRATIVE SERVICES

THE historic origins of the several well-organized public services that form the backbone of the British-Indian administrative system of to-day, must be traced to the body of civil employees—European and Indian—who originally carried on the actual trade of the East India Company. They were known as its civil servants as distinguished from its military and naval officers. As the Company gradually acquired territorial jurisdiction and political power, its civil servants ceased to be the mercantile employees of a commercial corporation and became transformed into public tax gatherers and administrators collecting and expending the revenues of vast areas and huge populations, magistrates and judges settling disputes and dispensing justice, satraps and governors of large provinces, ambassadors in the courts of various sovereign States, and plenipotentiaries negotiating war and peace. In short they became the undisputed rulers of vast territories controlling the destinies of enormous populations, invested with extensive powers and surrounded with all the pomp and ceremony of the oriental autocrats whom the Company replaced. In the course of time as its functions and responsibilities became vast and varied its employees also accordingly became differentiated and constituted into the separate and highly specialized services of to-day.

The oldest as well as the most famous of these is the Indian Civil Service, which owing to historic reasons and the absence of non-official initiative and enterprise in the country, has come to occupy a peculiar position, unlike any other civil service in the world, covering a wide range of functions and powers. The whole civil administration

is based on a territorial subdivision of the country into provinces, divisions, districts, and taluqs in a descending scale down to the village units, with a hierarchy of civil servants controlled from the top. The Indian Medical Service is practically as old as the Civil Service, having had its origin in the band of doctors sent out from Britain to the various factories of the East India Company to attend to the health of its civil and military employees. These Company doctors were constituted into a graded service as far back as 1763, and there were three distinct medical corps attached to the three presidential armies of Bengal, Madras, and Bombay, which were finally organized into the one Indian army in 1896. Then the three medical corps were constituted into one Indian Medical Service with dual functions, namely as a reserve of medical officers available for active service with the army in times of war, and at other times as doctors and surgeons engaged in civil medical work. Next in order may be noted the Indian Police Service controlling a force of over 198,000 men, organized on a provincial basis all over the country. Then comes the Indian Service of Engineers with its Irrigation Branch and its Roads and Buildings Branch. These were formerly united into one Public Works Department, but they have now become separated into two distinct specialized branches of the Engineering Service. Then come the Indian Forest, Agricultural, Educational, Survey, Veterinary, and Archaeological Services. The keynote of the working of the entire system in all the services consists in constant control and supervision at each stage of lower by higher officers who pay periodical surprise visits and hold inspections and report to those still higher in authority, culminating in the Provincial and Central Governments. Promotion is regulated by seniority in service and the system is not calculated to

encourage or develop originality and initiative in the personnel of the services; but tends to drill and discipline them in the red tape and rigid routine of strict obedience to highly centralized bureaucratic authority.

From the earliest days of British contact with India, it had been customary for the East India Company to employ persons of Indian birth and nationality in its service. A century ago, in 1833, when reviewing the Company's charter, an Act of Parliament was passed 'for effecting an arrangement with the India Company, and for the better government of His Majesty's Indian territories'. It contained a clause which enacted that no native of India shall by reason of colour, descent, or creed be deemed ineligible for holding any civil or military office, and the pledge contained therein was reiterated in Queen Victoria's famous proclamation of 1853 when, after the great Indian Mutiny the administration of India passed from the Company to the Crown. Owing to the great tragedy of the Mutiny there was naturally a setback in giving effect to this policy, especially in the military and diplomatic services. But in civil employ there has been a gradual and ever-increasing recruitment of qualified Indians not merely in the lower ranks but in the higher branches of all services, culminating in the striking solitary case of a single Indian, the late Lord Sinha, who during the period of the Great War was raised to the peerage and actually appointed for a time Parliamentary Under-Secretary of State for India and a member of the British War Cabinet, and subsequently the first Indian Governor of a Province. Though Indian political leaders have grumbled that the pace and extent of the appointment of Indians to high offices in the State has been very slow, there can be no question as to the established policy of the Government in the matter.

About a decade and a half ago, when the introduction of responsible government into India was decided upon, the joint authors of the Montagu-Chelmsford Report foresaw that radical changes in the status and function of the administrative services would inevitably result from the development of free institutions in the country. But in their own treatment of the question the emphasis was laid on the secondary question of Indianizing in an increasing measure the personnel of the superior administrative services, rather than on the primary question of the responsibility and function of these services in relation to the new institutions of popular self-government then introduced. Indeed they seem to have considered that the changed character of the administrative services as responsible to popular control instead of bureaucratic authority, could be brought about merely by the substitution of an Indian for a British personnel in their ranks. Accordingly they dwelt in detail with the need for the final removal of all racial distinctions in recruitment to these higher administrative posts, and for increasing the Indian element in its composition side by side with an adequate British element; and for this purpose they recommended recruitment in India for a certain percentage of superior posts and improvements in pay, pension, leave and allowance in order to attract the best available material to fill its ranks and maintain the established traditions of efficiency and integrity in the public services of India. Speaking of the European members of these services in the days to come they said:

'We are making over certain functions to popular control, and in respect of these—and they will be an increasing number—English commissioners, magistrates, doctors, and engineers will be required to carry out the policy of Indian ministers. . . . We are certain that English members of the services will continue to be as necessary as

ever to India. They may be diminished in numbers; but they must not fall off in quality. Higher qualifications than ever will be required of them if they are to help India along her difficult journey to self-government. We have, therefore, taken thought to improve the conditions of the services and to secure them from attack. . . . We think that with the new political and economic development on which she is entering, there will be wholly fresh opportunities for helping her with the services of men who have known the problems of government in other parts of the Empire, or who have special knowledge of technical science. It may conceivably be that the utilities of the European official in India will gradually undergo a change; that instead of continuing to the same degree as now, as the executive agency of Government, he will stand aside more from the work of carrying out orders and assume the position of a skilled consultant, a technical advisor and an inspecting and reporting officer. To attempt to forecast the future organization and disposition of the services would be idle. These matters will settle themselves in the course of political evolution. . . . We are no longer seeking to govern a subject race by means of the services; we are seeking to make the Indian people self-governing. To this end we believe that the continued presence of the English officer is vital, and we intend to act on that belief. . . . Life will indeed be more difficult; it will not be less worthy. It is harder to convince than to direct; and to prevail in consultation than to enforce an order. But there can be no higher calling for the service than to train in the years that are to come men who are to relieve them of much of their burden. The service has a fine administrative record; but the increasing sharing of responsibility is a higher order of work than administration. . . . The changes which we contemplate will, of course, go further than the legislative councils in which they will be seen in their most prominent expression. They will react on the district administration and on the relations between official and non-official. In future there must be more partnership, which means for the official extra work, explanations, consultations and attempts to carry with him those who will one day do the work themselves. It is a task that will, we believe add to the repute of the service.' (*Vide* paragraphs 323, 324, and 327 of the Montagu-Chelmsford Report.)

A scrutiny of the above passage reveals uncertainty and vagueness in the minds of its authors, regarding the steps to be taken to cope with the changed conditions that were

clearly foreseen by them. On the one hand they realized that 'higher qualifications than ever' were required in the future to discharge the new functions of acting as a skilled consultant and a technical advisor to popular councils and representative bodies seeking 'to convince' and 'prevail in consultation' with them, rather than 'to direct' and 'enforce an order' from above, as had been till then the case; and accordingly they stated that the men best fitted for this will be those 'who have known the problems of government in other parts of the Empire', presumably of self-governing institutions in Britain and her dominions, and those 'who have knowledge of technical science'. So naturally one would expect the authors to suggest ways and means of securing for service in India such experts as will be especially fitted by knowledge and experience for the new task in India. But instead of doing that and contrary to any such expectation, they seem to have hoped that somehow the needs will be met and the new functions will be fulfilled by the same old administrative machinery that was devised and perfected as an efficient instrument of autocratic rule. It is admitted that, 'The changing times cannot, we know, be altogether agreeable to many men who have grown up in the older tradition which made them the protectors and governors of the people' (*vide* opening sentence of paragraph 327 of the Montagu-Chelmsford Report). Yet these very men who were recruited and trained to become efficient instruments of the older bureaucratic tradition of highly centralized rule, were expected to change suddenly into wise, far-sighted and patient statesmen who would step aside and devise new ways and means and create new traditions for making popular control the determining factor in the administration of the country. Consequently efforts were made solely for inducing existing members of the services and others similarly recruited and trained in

rigid bureaucratic routine and official red tape, to continue to serve under the new conditions and somehow through goodwill seek to fulfil the new functions. For the future, an increasing Indian element similarly trained in the older tradition, coupled with an adequate British element, was envisaged as sufficient for all practical purposes. Action taken since the introduction of the 1919 Reforms has followed the same unfruitful lines and has not explored the possibility of any other form of recruiting a radically different type of expert public servant more suited to create new traditions of efficient administration under popular control.

The Joint Select Committee of both Houses of Parliament presided over by Lord Selborne, which examined and reported on the proposals for the Indian Reforms, foresaw that there might be officers in the services to whom the new conditions would not be congenial, and in order to meet their case introduced section 96 B of the Government of India Act of 1919. In doing so they remarked:

'The Committee think that every precaution should be taken to secure to the public servants the career in life to which they looked forward when they were recruited. . . . But if there are members of the services whose doubt as to the changes to be made are so deeply rooted that they feel they cannot usefully endeavour to take part in them, then the Committee think it would only be fair to those officers that they should be offered an equivalent career elsewhere, if it is in the power of His Majesty's Government to do so, or, in the last resort, that they should be allowed to retire on such pension as the Secretary of State in Council may consider suitable to their period of service.'

Accordingly a scheme was adopted under which officers of the superior services who were dissatisfied with the changed conditions were permitted to retire prematurely on a special proportionate pension without any undue hardship, within five years. In all, about 345 officers out

of 4,279 serving in India at the time, i.e. rather less than one-twelfth of the number, availed themselves of the special terms and retired: while the remaining eleven-twelfths of the services chose to continue to serve under the new conditions.

Hardly a decade had passed since the Islington Royal Commission on the Indian Public services had made recommendations for improving the organization and efficiency of the services in the existing administrative machinery of the country and for promoting the wider employment of qualified Indians in the superior services. But the Great War delayed the publication of its report and any action to be taken on its recommendations. Meanwhile the situation was radically changed by the epoch-making declaration of British policy in India of 20 August 1917 and the general upheaval caused by the War. The change may be said to be of a threefold character, namely,

‘(a) the special stress laid on the increasing association of Indians in every branch of the administration; (b) the new policy directed towards the progressive realization of responsible government; (c) the marked change in the cost of living. . . . The relations between the political classes and the Services instead of being improved were markedly worsened. In the minds of the Services the uncertainty of the political future of India, combined with attacks upon them in the press and on the platform . . . produced feeling of anxiety and discontent. In Indian political circles, on the other hand, the new system seemed incomplete and slow in its operation.’ (*Vide* paragraphs 8 and 10 on pages 5 and 6 of Lee Commission Report.)

The Government of India consulted all its Provincial Governments on the future of the services by summarizing the arguments for and against a drastic reduction or total elimination of the British element in the services in a document which has since come to be known as ‘the O’Donnell Circular’. Simultaneously the Secretary of

State appointed a Committee with Lord MacDonnell as chairman to report on the obstacles to European recruitment to the Indian services. But finding these unsatisfactory a Royal Commission on the Superior Civil Services in India was appointed, under the chairmanship of Lord Lee of Fareham, in 1923, to conduct a fresh, full, and impartial inquiry into the problems revealed by the O'Donnell Circular and the MacDonnell Report and to suggest ways and means of solving them. All the main recommendations of the Lee Report, which was presented in 1924, were given effect to; and they resulted in a substantial increase in the emoluments of the services as well as the provision of guarantees for security of tenure and of motion. So far as adapting the services to the needs of changed political conditions in India was concerned, solution proposed was to retain recruitment by the Secretary of State for those services which operated on the reserved side of Government, like the Indian Civil Service, Indian Police Service, the Irrigation Branch of the Indian Service of Engineers, and the Indian Forest Service in Bombay and Burma; while in the services that operated in the transferred sphere of Government under control of popular ministers, future recruitment should be made entirely by the Provincial Governments concerned. Accordingly recruitment by the Secretary of State ended in 1924 so far as the superior services in the transferred subjects of Government were concerned, with the sole exception of the Indian Medical Service, in which, owing to the obligation of Government to maintain a medical reserve for war, each Province was required to employ a certain number of Indian Medical Service officers recruited by the Secretary for State. Only four places on the reserved side were left for recruitment by Secretary of State as hitherto, namely, the Indian

Civil, Irrigation, Police, and Forest (outside Burma and Bombay) Services. And even in these the British element was to be steadily replaced by the Indian element resulting in a 50 per cent. distribution in the Civil Service by 1939 and in the Police Service by 1949. Apart from this, the Royal Commission had no suggestions to make as to how a different type of expert public servant equipped for the new needs of the Indian administration under a system of responsible government, could be produced in or made available for India.

The Indian Statutory Commission reviewed the position with regard to the services in Chapters I and II of Part IV of volume I of their Report; and their own specific recommendations are contained in Part IX, entitled 'The Future of the Services' in volume II of their Report. Their own review of the situation contains no new or illuminating formulation of principle or devising of ways and means for transforming the administrative services into harmony with the implications of responsible government in the country. They admit that

'The Montagu-Chelmsford Report anticipated that the changes which it recommended would considerably affect the lives and functions both of the officials who worked in the secretariats and of those who were in the Districts. The authors of the Report looked forward to the day when general administration and control would figure less prominently among official duties than the giving of technical and expert advice, and the achievement of results become secondary to the duty of helping Indians to manage their own affairs. . . . The anticipation that officials would, under the Reforms, rapidly pass from being administrators into the position of advisors has only been very partially fulfilled.' (*Vide* paragraph 231 on page 290 of volume I of Simon Report.)

Their own view is that

'No changes or adjustments are likely to alter the central fact that the District Officer must remain a very important person, the

embodiment of effective authority, and the resource to whom the countryside turns in time of difficulty or crisis. The respect in which he is held, and the influence which he wields, reflect the preference for personal and visible authority, which will endue that authority as the spokesman and instrument of responsible government. In no future that we can foresee will the post of a district officer cease to be one which calls for those qualities of integrity and decision, which so many of the best kinds of public servants have exhibited in the services of India.' (*Vide* concluding portion of paragraph 322 on page 299 of volume I of Simon Report.)

Indeed they begin their recommendations for the future of the services with saying,

'Of no country can it be said more truly than of India that "government is administration", and the success of the constitutional changes which we have proposed will depend in no small degree upon the maintenance of the high standards which the services have established.' (*Vide* paragraph 327 on page 286 of volume II of Simon Report.)

So it is not surprising that their entire recommendations follow more or less the lines of the Lee Commission's Report and seek to make out a strong case for the recruitment and control by the Secretary of State of what they have called 'the security services', i.e. the Indian Civil and Police Services at least, even though according to their own recommendations the portfolios of law and order are to be transferred to popular control. As regards the personnel in the two security services, the Statutory Commission had nothing new to suggest, and decided not to depart from the scheme of Indianization and the rate of recruitment laid down by the Lee Commission, according to which by 1939 half of the Indian Civil Service would be Indian and half European, and by 1949 half the Indian Police Service would be Indian and half European.

Similarly, as regards the other superior services, they are of opinion that 'following the Lee Commission's recommendations . . . no change will be made in the position of

existing members' of these all-India services. The reason for this decision is stated as follows:

'The six years that have elapsed since the Lee Commission reported have not lessened the need for the British element in the security services. Communal tension has increased, and it has never been seriously denied that the impartiality of the British officer as between conflicting communal interests—an impartiality which he owes to his origin—gives him a special value in administration. . . . But apart from this, the British officer can for some time longer render a valuable service to political progress in India. Democracy in our own country is not so much a code of principles as a way of living with one's fellow-citizens, whether they be the majority or minority in the State. It cannot be learned from text-books, and it is inevitable that political theory and practice in India should rest more on the letter than on the spirit of British political institutions. If the best type of British recruit can be obtained as in the past, Indian political life must gain from the advice and service of men in whom the practice of British democracy is instinctive.' (*Vide* paragraph 331 on page 290 of volume II of the Simon Report.)

In order to clear up the issues involved herein it is desirable to distinguish clearly between the grounds urged on the one hand and the conclusion drawn therefrom on the other hand. So far as the grounds put forward are concerned, they are of a twofold nature, namely (a) the undisputed impartiality of a neutral British officer in the midst of growing communal tension, and (b) that Indian political life must gain from the advice and service of the best type of British officer 'in whom the practice of democracy is instinctive'. With reference to the former ground it may be pointed out that British officers are not the only persons in India who are impartial neutrals in the midst of growing communal tension. Besides them, there are others who belong to various minority communities from whose ranks may be drawn public servants who will be no less impartial and neutral. The very possibility of this does not seem to have occurred to members of the

Statutory Commission. Should this be explored, it will prove an effective way in which the value of the small minority communities to the national life of India could be effectively demonstrated.

But the utilizing of neutral material existing within India does not and need not mean that there is no scope or room for the right type of impartial British officers who are nurtured in the spirit of democracy. This is the consideration urged as the second ground assigned by the Statutory Commission; and the full force of it may be readily admitted by all who have the true good of India at heart. But it does not follow from this that the British members of the existing Indian Civil or Police or any other services are the very best type of British officers, imbued with the true spirit of democracy, available for India. On the contrary, there is widespread suspicion, which is not altogether unjustified, that no class of British people are, generally speaking, more reactionary in their attitude to Indian constitutional advance than the British members of the existing Indian services. It is not surprising that this should be so, when one realizes how they are recruited when young and expatriated for years from the healthy democratic conditions of their homeland, and are drilled in alien surroundings in strong long-established traditions of autocratic rule. It is not enough to say that 'the practice of democracy is instinctive' to them, simply because of the accident of their birth; and this is amply proved by the published writings and utterances of British officials who have retired from service in India, some of whom are ex-Governors and executive councillors who have in their day ruled over Indian Provinces. To point out these facts, does not mean that the Indian services as at present recruited and the British members in them have not rendered invaluable services to India in establishing

high standards of administrative efficiency and integrity. No fair-minded student of Indian affairs can deny this, or that they may yet play a most useful part in the India of to-morrow. There can be no gainsaying this.

In addition to retaining a strong element of experienced officers, the new needs of the situation require the employment in India, on short-term contracts, of expert British officers, not only born and nurtured in Britain, but who have had years of experience under thoroughly democratic conditions. Picked officers of this type may be either loaned for service in India for specified periods or they may be appointed on short-term contracts on their retirement from their home service. Their knowledge and experience will prove of great value for the new needs in India. There can be no two opinions as to such British officers of proved merit being welcomed in every sphere of Indian administration; and they are likely to prove invaluable assets in promoting mutual understanding and friendly relations between the peoples of Britain and India—far better than the British members of the existing Indian public services who have lived in exile most of their lives and themselves grown out of touch with conditions in their homeland. On the other hand it is true that British officers coming out fresh to serve as experts in India on short-term contracts will not have the same intimate knowledge of Indian conditions or the same facilities for mastering the vernaculars that the members of the existing services who have spent the best years of their life in India do have. Even so, it does not take long for able experienced men to pick up a working knowledge of local conditions; and as against this drawback there are the undoubted counterbalancing advantages of their being absolutely unaffected by local prejudices and being imbued with a fresh spirit and the valuable experience of the working of

democratic institutions elsewhere. This is true not merely of the Civil and Police Services, but no less true of other services such as the engineering, building, and irrigation, medical, forest, agricultural, and educational. In each of these, the expert who comes out with a fresh mind direct from Britain to India even for short periods of time, will prove of great value both to Britain and India in creating new traditions of free and friendly co-operation with infant self-governing institutions, and India will gladly welcome on generous and handsome terms such experts who have already made good before coming out to her. The possibilities of such a British contribution to the future administrative services of the new India do not seem to have been explored or even considered by the Statutory Commission, in spite of the outstanding examples of Egypt and Iraq, where considerable numbers of qualified British people have found honourable and profitable employment.

The question of the future of the administrative services came up also for consideration at the Indian Round Table Conference held in London. Sub-Committee No. VIII of the Conference was constituted with thirty-four delegates as members under the chairmanship of Sir William Jowitt to report 'on the relations of the services to the new political structures'. To these terms of reference a note was added, indicating explicitly that they were 'meant to include such questions as the ratio of British recruitment in the all-India services', and 'the responsibility for the internal administration of the Police in the Provinces', which had been remitted for consideration to this Committee by the Provincial Constitution Sub-Committee No. II. The terms of reference as framed above and as explained in the note, focused attention on the wholly subordinate question of the ratio of the British to the Indian element in the

existing services, and failed to raise the larger and more important question of the new needs of Indian public administration under a system of responsible government. The Sub-Committee met on six days and presented a report, which was eventually adopted by the whole Conference. Its first recommendation was simply a reaffirmation of the necessity of continuing to existing members of the services under the new constitution the guarantees which the present Government of India Act of 1919 and the Rules framed under it have given them (*vide* Item I of Sub-Committee's Report). So far as the future is concerned, opinion was divided; but by a majority vote it was decided to recommend that recruitment for the Indian Civil and Police Services should continue to be carried out on an all-India basis, but that recruitment for judicial offices should no longer be made in the Indian Civil Service. Regarding the continuance of a certain European element in the Civil and Police Services, a majority of members were in favour of it; but on the question of ratio, opinion was divided, some holding that it should remain on lines laid down by the Lee Commission, while others preferred that the matter should be left for decision by the future Government of India. But a clear majority in the Sub-Committee held that the recruiting and controlling authority in the future should be the Government of India; while a minority held that unless the Secretary of State remained the recruiting authority to whom a final right of appeal may be made, the required type for the British element in the public services of India would not be forthcoming (*vide* Items II and III of Sub-Committee's Report). The Sub-Committee recommended that Public Service Commissions should be appointed in every Province as well as for all India, for recruiting the best type of candidates with adequate representation of various communities

concerned in the public services of the country. On the special question of the responsibility for the internal administration of the Police, which was referred to it by the Provincial Constitution Sub-Committee, no decision seems to have been arrived at. It is merely recorded that some considered it undesirable to make any recommendation that might be held to infringe upon the discretion of the future Provincial Governments, while others considered that the control over the Police forces at present secured to the Inspectors-General by statute, should continue and should not be subject to repeal or alteration by the legislatures without the prior consent of the Governor-General. It is not indicated if the opinion recorded is of a majority or minority in the Sub-Committee (*vide* Item VI in Report of the Sub-Committee and Appendix E, p. 282). It is perfectly clear from a survey of these recommendations that the question of the public services had not been advanced any nearer a solution as the result of the Round Table deliberations.

That such should be the case is not surprising, when one turns from the recommendations to the actual trend of the deliberations of the Sub-Committee that lay behind these recommendations. At the very commencement of its proceedings, the Chairman called the attention of the Committee to the note added to its terms of reference indicating the kind of questions that were expected to be considered, and remarked, 'when you are embarking upon a great constitutional reform it is desirable, if possible, to avoid at the same time great changes in the administrative machine' (*vide* opening speech of the Chairman on page 330 of proceedings of Sub-Committee, Part II). Even so, if discussion had been concentrated on discovering whether it is possible or not to avoid great changes in the administrative machine while attempting radical constitutional

reform it might have proved fruitful. Instead of doing so, it was assumed that it is possible to avoid great changes in the machinery of administration, and attention was concentrated on the whole on minor questions of the security, safeguards and satisfaction that should be given to those already in the services in order to induce them to remain, and for the future whether recruitment should continue in an all-India basis as hitherto or not, and whether there should be a European element, and if so, what ratio it should bear to the Indian element in the services.

Nevertheless, it was pointed out by some speakers, notably those who had had experience of the actual working of the Montagu-Chelmsford Scheme of reform:

(1) that under that system responsible ministers in the Provinces had been handicapped by having had to work through an administrative machinery over which they had only a minor control;

(2) that to leave the recruitment of the superior services to a distant authority like the Secretary of State for India is inconsistent with the establishment of responsibility in the Government of India;

(3) that the present constitution of the Indian Civil and other services was the result of past historical circumstances when order had to be evolved out of chaos and when it was necessary to have bodies of highly trained public servants in whose hands nearly all civil administration was concentrated and who exercised despotic personal rule;

(4) that already conditions have substantially changed with the dethroning of the old type of patriarchal district officer who had to know everything and control everything in his district, through the development of definite departments of administration with their own heads controlling them on the one hand and the gradual growth of some measure of popular self-government;

(5) that it would be an anomaly and anachronism to continue in the future the Indian Civil and other services in the form in which they existed and functioned in the past;

(6) that there could be no sudden dislocation of administrative arrangements in the country even if radical changes in the composition and functions of the public services were inaugurated now, as existing members of the services comprising officers with varying years of experience down to the newest recruits appointed recently, would take on the average another 20 or 25 years to retire, and so it would take about a quarter of a century for the effects of any changes now introduced to be realized; and this will inevitably ensure continuity of administrative experience;

(7) that if the Government of India is now to be made really responsible, it should be given power and liberty to determine its own administrative needs, and to lay down its own policy and to recruit its own superior services accordingly; and

(8) that the future recruitment and control of the public services could be safeguarded against political and communal influences by the establishment of strong central and provincial Public Service Commissions for this purpose.

But unfortunately these considerations were not thrashed out clearly to a constructive finish and discussion got side-tracked from major issues to wholly minor expediciencies (the nature and extent of the safeguards to be provided for existing members of services and future entrants, and for meeting the claims of the majority and various minority communities, and the relative ratio of the British and Indian elements in the various existing services in India), with the result that no new ground was covered and no advance made towards bringing the administrative machinery into real accord with the introduction of responsibility, both at the centre and in the Provinces.

It does not seem to have been clearly realized that the present constitution and recruitment of the public services are not the only possible or desirable ones available for securing efficient British and Indian officers. Even if the Government of India were given full responsibility for its administrative services, it does not follow that the only way it could solve the problem is through expensive Public Service Commissions multiplying present procedure on an elaborate scale both at the centre and in the various Provinces by conducting competitive examinations and selecting candidates when young to be trained in the routine and red tape of service traditions as the approved means of qualifying for all positions of administrative responsibility in the land.

Without minimizing in the least the value of the services as at present constituted and without attempting to forestall in detail all the varied needs that may arise in the future, it might yet have been recognized at this stage that the new self-governing bodies to be set up in India could and would endeavour to obtain through negotiation with His Majesty's Government in Britain suitable British officers with special experience of working with public bodies and trained under democratic conditions for creating and maintaining in India new service traditions in addition to the existing traditions of efficiency and integrity. Obviously, such picked officers as are really needed in India under the new conditions will not be easily found either in the ranks of those steeped in the older autocratic traditions of Indian Public Service or among raw inexperienced recruits coming straight from the universities and public schools of Britain. They must be picked officers of proved merit from the ranks of the Home Civil Service, or persons of special technical knowledge who may be available only for specific periods and who can be secured

only on specially attractive conditions suited to the circumstances of each case. The appointments must be adaptable to actual Indian needs as they arise and filled with suitable experts of proved merit and authority especially selected for them. In this way there could be ensured a constant supply of the best type of British officers who would bring new life, light, and inspiration with them, and who would be highly valued and welcomed in every sphere of Indian life in increasing numbers.

There is a certain unreality about the assumption commonly made both in Government and Indian political circles, namely, that the European element is indispensable for some years to come in the superior ranks of certain services known as the security services; and present policy is committed to a steady reduction in their numbers, which will lead to their ultimate elimination. Even the insistence on a minimum of British officers in the Civil and Police Services for a short period of time has been widely misunderstood and misrepresented in Indian circles as an attempt on the part of Britain to find lucrative careers for its youth rather than to provide much needed assistance for India. The truth is that British co-operation and help was never more needed than it will be in the anxious and uncertain days that lie ahead, and it will be truly welcome and prove invaluable in every sphere of Indian life, not merely in the service of the State but even more so in the service of non-official public bodies and private enterprises. The present system is narrow and top-heavy and is widely suspected and disliked as opposed to the political advancement of India: and it will serve no useful purpose to India or Britain to insist on its being the only form of public service needed in the country. What is really needed is not merely a rigidly uniform recruitment and personnel as in the existing services, but a broader system adapted

to varied needs as they arise, and calculated to provide opportunities for honourable, pleasant, and profitable employment to suitable British experts, who would give of their best to the land and who would prove invaluable in creating and maintaining cordial relations of friendly co-operation between Britain and India in the difficult and uncertain days that are ahead of both.

For the rapid political and economic advancement of India, British talent and experience will prove invaluable, not only in reorganizing and moulding in suitable directions the administrative machinery of the country into harmony with the growth of popular institutions, but also for specialized work. The tapping of the country's natural resources and economic possibilities, the building up of new and profitable industries, developing commerce and transport by land, sea, and air, instruction in the science, pure and applied, the art, industry, literature and wisdom of the West in the schools, colleges, and universities of India, side by side with oriental savants, and more especially the training of the people in up-to-date scientific, agricultural, and medical research, political organization, labour protection, child education, maternity welfare, district nursing, the elements of national self-defence—all these are ways to transform present waste and suffering into prosperity and happiness. Here is boundless scope for years to come for honourable and profitable occupation to large numbers not only of British men but of British women. These possibilities are at least worth the serious consideration of both Indian and British statesmen; and if properly explored would open up avenues of opportunity not only to a few eminent experts at the top, but to vast numbers of others who can render no less real and useful service. The problem of finding such people and providing and determining the actual conditions, prospects, and securities for their

employment in different walks of life, could be satisfactorily settled in the nature of things, only by negotiation on the merits of each case, or each type of case, between the authorities in India and His Majesty's Government in Britain. The continued supply of needed experts would naturally depend on the kind of treatment meted out to those already in the employ of India; and no better or more enduring and effective safeguard of the interests of the British element in India could be devised. Such a scheme would not merely disarm once for all the existing opposition to the continuance of the British element in the services, but would on the other hand actually create a growing demand in India itself for British talent in all spheres of Indian life. If His Majesty's Government insisted on laying down a minimum of British recruitment in certain services only for a limited period, as is proposed in the White Paper, the inevitable psychological result of it will be to induce Indian politicians to bargain for further reduction of the minimum; and whatever the issue of this may be, its result sooner or later will be the elimination of the British element from all the Indian services. That is the unmistakable objective implied in all recent discussions of the question and in the proposals now put forward in the White Paper. On the contrary the scheme outlined in these pages contemplates the creation of an increased demand for the British element coming from India herself; and such a demand will become loud and insistent, when the hitherto inarticulate masses of Indian people get the opportunity of voicing their needs and claims in self-governing institutions organized from the bottom. It is not suggested herein that the existing services should be scrapped, but that it is high time that a different type of public servant should be recruited and made available alongside of the existing services to meet the new needs of responsible government in India.

Chapter IX

INDIAN SOVEREIGN STATES

SO far the subject of constitutional changes has been considered in its main aspects, as pertaining to the conditions and needs of British India, which comprises slightly less than two-thirds of the country. The remaining portion of India, measuring roughly 700,000 square miles, is technically not British territory, but consists of about 600 different States under hereditary Indian rulers who recognize the suzerainty of the King-Emperor but are more or less autonomous in their own internal administration. They vary widely one from another in size, population, status, organization, and resources. Some, like the Nizam's Dominions or Kashmir, comprise an area almost as big as Great Britain, while others on the contrary are little more than estates of a few acres. Frequently an accident of history and the policy in favour at different periods of British rule in India was responsible for a particular area remaining under the rule of an Indian prince, while an adjoining area passed under administration. The boundaries of these numerous more or less independent Indian States dovetail in endless ways into the different Provinces of British India; and the great trunk roads, canals, telegraphs, railways, and other lines of communication penetrate through State areas and British territory alike. These two portions of India politically distinguished as 'British India', and 'Indian India', are yet geographically and ethnically so one and continuous, that changes and influences at work in the one necessarily affect the other. So no consideration of constitutional reforms for British India would be complete without indicating in outline its relation to these numerous more or less autonomous Indian States.

Each State is entirely independent of every other and controls its own internal affairs, imposing its own system of taxation, collecting and expending its own revenues, and enacting and administering its own laws. At the court of each Indian ruler there is as a rule a British officer known as the Resident or Political Agent representing the King-Emperor, who advises the ruler and reports to the Paramount Power in matters of importance. Though each State is independent, so far as the management of its own internal affairs are concerned, yet the British Crown does intervene in cases of disputed succession to the throne or grave mismanagement of affairs. The scope and limits for the exercise of the paramountcy of the British Crown have not been either uniformly or precisely defined, but have been determined by the prevailing policy at the time and according to the varying needs of circumstance actually arising with reference to individual States. While they enjoy considerable powers of internal autonomy, they have no control over their foreign relations, which are determined for them by the Paramount Power. Also there is considerable divergence in the forms of government and standards of administrative efficiency reached in the different States. About thirty of the more advanced States have established quasi-representative assemblies which are of a consultative or advisory character, and a few more have established High Courts more or less on the model of British India. But the outstanding characteristic of all Indian States without exception is their autocratic character resulting from the personal rule of the hereditary prince or chief.

It is desirable to make a brief historical survey of the growth of British paramountcy over them, which has now become an accomplished fact for over a century. On scrutiny it will be seen to be founded on a variety of

historical factors such as conquest and treaties in some cases, mutual agreements and sanads in other cases, and in yet others recognition of already existing usages and privileges. The treaties entered into in the earlier days when Britain herself was contending with powerful rivals, were generally based on equality and reciprocity; but those made later in the course of the nineteenth century when British supremacy was established are of a different character and emphasize the subordination of the States to the Paramount Power. The loyalty of the ruling Princes who supported Britain during the stormy days of the great Indian Mutiny was rewarded by the solemn assurance in Queen Victoria's Proclamation that 'we shall respect the rights, dignity and honour of native princes as our own'. Nevertheless, owing to unforeseen changes in circumstances, the Paramount Power has frequently had to step in and exercise its authority even in the internal affairs of several States, though that was outside the actual terms of the existing treaties. The most notable example of such intervention was in the case of the Nizam's Dominions. As far back as 1800 the British Government entered into a treaty with the Nizam which laid down explicitly that 'the Honourable Company's Government on their part hereby declare that they have no manner of concern with any of His Highness's children, relations, subjects, or servants with reference to whom His Highness is absolute'. Nevertheless, within four years of the signing of this treaty, the Company successfully coerced the Nizam to accept its nominee as Prime Minister of his Dominions; and within eleven years after that, it intervened in a domestic dispute between the Nizam and his rebellious sons, and five years later had to send British officers to reorganize the administration and protect the subjects of the State from oppression and misrule; and the Court of Directors of the country intimated

to His Highness that they could not continue to be 'indifferent spectators of the disorder and misrule', and that unless these were remedied they would have to take necessary steps to ensure good government. Several occasions like this have actually arisen, and they establish beyond question that the Paramount Power in India has claimed and exercised the right of intervention in State affairs in the interests not only of itself or of the ruling chiefs, but in the interests of the people of these States, who are not technically British subjects. As a matter of fact, in certain cases of absence of legitimate heirs to the throne, grave misrule, or popular revolt, the Company settled the problem by annexing the States to British territory. But after the great Indian Mutiny, when the Company was dissolved and the British Crown took over the direct administration of affairs in India, the policy of annexation was given up and Lord Canning, the first Viceroy of India, formulated in its place the policy that has governed the relations of the Paramount Power to the States ever since, as follows:

1. That the integrity of the States should be maintained by perpetuating the rule of the hereditary ruling chiefs by granting them the right where necessary to adopt heirs to succeed them, and
2. that cases of misrule must be arrested by timely intervention instead of wholesale annexation at the end.

On several occasions the Paramount Power has stepped in to prevent misrule and to restore peace and order in individual States as occasion arose. Perhaps the most notable instance of such intervention in the latter half of the nineteenth century occurred in the Baroda State during the years 1873-5. On that occasion the Viceroy warned the ruler before his final abdication as follows:

'This intervention, although amply justified by the language of

treaties, rests also on other foundations. . . . It has never been the wish of the British Government to interfere in the details of the Baroda administration, nor is it my desire to do so now. The immediate responsibility for the Government of the State rests, and must continue to rest, upon the Gaekwar for the time being. He has been acknowledged as the sovereign of Baroda, and he is responsible for exercising his sovereign powers with proper regard to his duties and obligations alike to the British Government and to his subjects. If these obligations be not fulfilled, if gross-misgovernment be permitted, if substantial justice be not done to the subjects of the Baroda State, if life and property be not protected, or if the general welfare of the country and people be persistently neglected, the British Government will assuredly intervene in the manner which in its judgment may be best calculated to remove these evils and to secure good government. Such timely intervention, indeed, to prevent misgovernment culminating in the ruin of the state is no less an act of friendship to the Gaekwar than a duty to his subjects.'

In the last decade of the nineteenth century, when serious disturbances occurred in the Manipur State in the north-eastern frontier of India, resulting in the abdication of the ruler and in the murder of the British officers who went there to settle the disputes, an expeditionary force had to be sent forthwith to deal with the situation; and those who perpetrated the outrage were tried and executed. During the trial it was contended by the Counsel for the defence that the rulers of the State were independent and not guilty of high treason if they should choose to wage war with Britain. This was emphatically repudiated by a resolution of the Governor-General in Council dated 21 August 1891, in the following terms:

'The Governor-General in Council cannot admit this argument. . . . It must be taken to be proved conclusively that Manipur was a subordinate and protected state which owed submission to the Paramount Power, and that its forcible resistance to a lawful order, whether it be called waging war, treason, rebellion, or by any other name, is an offence the committal of which justifies the enactment of adequate penalties from individuals concerned in such resistance, as well as

from the State as a whole. The principles of international law have no bearing upon the relations between the Government of India as representing the Queen-Empress on the one hand and the native states under the suzerainty of her Majesty on the other. The Paramount supremacy of the former pre-supposes and implies the subordination of the latter.'

Subsequently, during the great famine of 1899, when the administration of several States was reduced to chaos and the subjects of those States fled in vast numbers to British-Indian territory for protection, the Viceroy, Lord Curzon, intervened in the internal affairs of these States to provide effective relief and to restore peace and order. Later, about 1909, the Viceroy, Lord Minto, declared at Udaipur:

'Our policy is, with rare exceptions, one of non-interference in the internal affairs of native States. But in guaranteeing their internal independence and in undertaking their protection against external aggression, it naturally follows that the Imperial Government has assumed a certain degree of responsibility for the general soundness of their administration and would not consent to incur the reproach of being an indirect instrument of misrule. There are also certain matters which it is necessary for the Government of India to safeguard in the interests of the community as a whole, as well as those of the Paramount Power, such as railways, telegraphs, and other services of an Imperial character. But the relationship of the supreme government to the States is one of suzerainty.'

In the course of the same speech, Lord Minto dwelt on the variety of conditions and circumstances prevailing in different States, which made it impracticable to mete out uniformity of treatment to them, and emphasized the need to deal with each State individually with due regard to local conditions and existing treaty obligations, without indiscriminately forcing uniform British methods of administration upon them. A few years later, the next Viceroy, Lord Hardinge, initiated conferences of ruling chiefs summoned for dealing with matters of common interest

affecting the States as a whole and of Indian and Imperial importance; and the Great War provided a favourable opportunity for the success of such conferences. With the return of peace his successor, Lord Chelmsford, continued the conferences and utilized them for the discussion of matters of general interest to the States as whole.

The Montagu-Chelmsford Report contains a whole chapter on the subject of the Indian States, and reviewing the trend of British policy towards them says:

‘The policy of the British Government towards the States has changed from time to time, passing from the original plan of non-intervention in all matters beyond its own ring-fence to the policy of “subordinate isolation” initiated by Lord Hastings; which in its turn gave way before the existing conception of the relation between the states and the Government of India, which may be described as one of union and co-operation on their part with the paramount power. In spite of the varieties and complexities of treaties, engagements, and sanads, the general position as regards the rights and obligations of the native states can be summed up in a few words. The States are guaranteed security from without; the paramount power acts for them in relation to foreign powers and other states, and it intervenes when the internal peace of their territories is seriously threatened. On the other hand the States’ relations to foreign powers are those of the paramount power; they share the obligation for the common defence; and they are under a general responsibility for the good government and welfare of their territories.’ (*Vide* paragraph 106 of the Report.)

Then the joint authors of the report dwell on the closer relations that have sprung up between the States and the British Government in India, the most notable of which in recent times was the splendid rally of the rulers of the States during the Great War. Besides, they say,

‘For many years, however, influences more persistent, though less forceful, than war have been at work to increase the range of matters in which the States realise their solidarity with British India. A perceptible process of infiltration has been going on. We have helped the States in time of famine, we have lent them officers trained in British India to revise or supervise their revenue or financial admini-

stration, or to improve their agriculture or irrigation. Many of them have adopted our civil and criminal codes. Some have initiated, and even further extended, our educational system. Co-operation in matters of police and justice have been developed. Our railway and telegraph systems have been carried through and serve many of the States. The Indian customs tariff is a matter of concern to all States equally. They have not all been equally able to assimilate new principles. They are in all stages of development, patriarchal, feudal, or more advanced, while in a few States are found the beginnings of representative institutions. The characteristic features of all of them however, including the most advanced, are the personal rule of the Prince, and his control over legislation and the administration of justice. . . . The independence of the States in matters of internal administration carries with it the counter-obligation of non-interference in British affairs. If the princes were to intervene either informally or formally, in the internal affairs of British India, such action would, we think, be reasonably questioned, unless the representatives of British India were given a corresponding right of influencing the affairs of the States. On either hand, we believe, there is no desire to cross the frontier. Rulers and politicians alike recognise that they are best employed in attending to their own progress. The obligation of mutual abstention must be always borne in mind in estimating the future position of the native States in a changing Indian Empire.' (*Vide* paragraph 299 of the Montagu-Chelmsford Report.)

Nevertheless, whatever the legal position may be, the States have found that they cannot remain unaffected by political and constitutional developments in India, and the more advanced and far-seeing of them have tried to anticipate coming changes and accommodate themselves to them. The joint authors of the Report say: 'We feel the need for caution in this matter. . . . Influences are at work which need no artificial stimulation. All that we need or can do is to open the door to the natural developments of the future' (*vide* paragraph 300 of this Report). They recommended the constitutionalizing of the established practice of the annual conferences of ruling chiefs in the form of a Chamber of Princes with a standing committee

of its own. They also urged that existing political procedure in dealing with the States should be definitely codified and standardized; that chiefs with full privileges of sovereignty should be distinguished from others not similarly placed, that courts of arbitration and commissions of inquiry should be established, that suitable machinery should be devised for joint deliberation between the rulers of British India and the Indian States. Accordingly the Chamber of Princes and its standing committee were established by royal proclamation and inaugurated by the Duke of Connaught on behalf of the King-Emperor on 8 February 1921. It is a merely advisory body, its proceedings are not open to the public and its decisions are not binding either on the States as a whole or individually; and some of the great chiefs like the Nizam have refused to attend its meetings or take any part in it; while others have complained that they have not been given direct representation on this body, to which they claim they are entitled. In spite of all this the establishment of the Chamber of Princes marked the abandonment of the old policy of isolation in dealing with the States and inaugurated a new policy of co-operation between them and British India. It has paved the way to other and far-reaching changes.

In the summer of 1927 a representative group of princes voiced their grievances regarding the existing anomalous state of affairs and asked for a special committee to be appointed to inquire and report (1) on their relationship to the Paramount Power arising out of treaties, sanads, agreements, and usage; and (2) on the financial and economic relationship between British India and the various sovereign States. A committee of three including its chairman, Sir Harcourt Butler, was set up for this purpose. The main issue of political interest in the Report of this

Indian States Committee is the recommendation that if responsible government is established at the centre in India, then this would be a new government out of relation to the Princes and that the existing relationship should not be transferred to the central authorities without the States' own consent. The Indian Statutory Commission adopted the conclusions reached by the Butler Committee. In the Round Table Conference discussions that have followed, ruling Princes and their representatives have sat side by side with British Indian delegates and discussed the conditions on which a Central Federal Government containing both may be set up in India; and in certain British political circles the entry of the Princes into the Federation was welcomed as a stabilizing factor to counteract the radical elements in British India. British Indian delegates anxious to secure power at the centre, as well as His Majesty's Government anxious to go cautiously in this matter, have failed to scrutinize critically the main condition on which the Princes are seeking entry into the Federation. The Round Table Conference took the same attitude as the Butler Committee and refused to give any hearing to the subjects of the States. The whole idea of setting up undiluted autocracy in the States and democracy in the Provinces into one Federation is fraught with the gravest danger for both alike. Nothing would be more natural than for the reactionary States representatives to join hands with the propertied elements in British India in setting up a close oligarchy. Without in any way impinging unduly on the sovereign rights of the States, it may yet be laid down as the pre-condition of entry into the Federation that each such State should have some minimum form of constitutional government.

By this means machinery would be provided for securing elected representation for the subjects of the States in the

Lower Federal Chamber, while the sovereigns of their provinces may sit in the Upper Federal Chamber. This would bring Indian States and Provinces alike into harmony with the spirit and genius of the British constitution and give them a community of purpose. Under such a system the ruling Princes of India would become constitutional sovereigns as much as His Majesty the King-Emperor himself. Nothing short of this will be of any avail in saving the future constitution of India from degenerating into a reactionary oligarchy.

Chapter X

CONCLUSION

IT now remains to gather together the several threads of argument in the foregoing pages. They all reinforce the one central idea of establishing real freedom and responsibility in India by building up from the bottom a strong and enduring superstructure, utilizing in the construction the various conflicting elements in the population as raw material for mutual checks and balances within the constitution. This will ensure the freedom and responsibility now to be granted to India from degenerating into a tyrannical oligarchy of the enfranchised upper classes over the unenfranchised masses. There is no element of Indian society that is more appreciative of and grateful for all the peace, order, and government that Great Britain has introduced into India than the voiceless millions. By providing ways and means of enabling them to pull their weight in the new constitution, forces will be liberated that will ensure friendly co-operation with Britain. It is the aim and purpose of this scheme to prevent the British connexion being reduced to a minimum, but rather to increase it to a maximum by developing a fruitful co-partnership that will prove of untold value to both countries. By this is meant not simply a merely sentimental tie that may snap at any moment under the stress of a narrow self-interest or any other motive on either side. Nor would such a co-partnership be merely an economic and commercial affair based on most-favoured-nation treatment and a pact of friendly tariffs between Britain and India. If it is to endure it must be more than a commercial treaty and must involve politically organized governmental co-partnership. Organized interdependence and comradeship for mutual

defence is only a part of the inter-relation contemplated. Above and beyond all these is the great cultural and spiritual interchange between India and Britain, which may prove of incalculable value. By ensuring such a fruitful co-partnership India will attain a higher destiny than by remaining merely self-contained: and, conversely, the presence of India within the Empire will ensure its being transferred into a true league of many nations to be a model to all the world of what goodwill and co-operation can accomplish between different races, and will prove to be the key to the solution of international problems. In order to realize this dream, not merely India, but Britain, should recognize their mutual dependence and explore every avenue and utilize every opportunity of fruitful exchange of commodities, ideas, ideals, and persons in every walk of life.

The objective underlying the aspirations of Indian national leaders and the declared policy and proposals of His Majesty's Government alike is to set up some form of representative government in India that will be responsible to as large a section of the Indian people as is deemed practicable. Even if this object were achieved it would not tend towards bringing into being an India standing on its own feet determining its own destiny in isolation. Such an ideal and the methods employed to achieve it are all based on the analogy of other nations that have achieved a separate nationality with self-contained territorial sovereignty. Herein it is urged that such an ideal has often proved a doubtful blessing and a fruitful source of domestic tyranny and a menace to the peace and prosperity of other nations. The world has outgrown the ideal of separate sovereign states and is reaching out towards some form of genuine international sovereignty. The various self-governing dominions in the British Empire have all gone the way

of developing into separate nationalities, held together by more or less sentimental ties of merely economic interest, ties which may snap at any moment. Moreover, none of them can compare with India either in its size or in the diversity of its ancient heritage and the quality of its possible contribution to the future of international relationship. All that has been irksome in the present relationship of Britain to India has arisen out of its one-sided character and the unbalanced emphasis on merely what Britain can do for India. The way out is not to relax the existing relationship into separation. The only ultimate justification for discarding the existing relationship will be for it to give place to a higher and better one. Such a better relationship will be discovered only when the other side of what India can do for Britain is recognized and stressed. In order to give substance to such an ideal, not only will Englishmen be required in India in key positions, but suitable Indians in key positions in Britain. Such a step was taken when one solitary Indian, Lord Sinha, was elevated to the peerage and appointed as Parliamentary Under-Secretary of State for India and a member of the British War Cabinet. Unfortunately this precedent has not been followed. It is of the greatest importance to appoint suitable Indians, not necessarily always from the ranks of politicians, to the exalted and responsible positions of either Secretary of State or Under-Secretary of State for India. To start with, if the one post is filled by a Briton, the other may well be filled by an Indian; and the British constitution is fortunately admirably suited to accomplish this by the selected Indian being made a member of Parliament through his promotion to the peerage. There is precedent for such a step, and what was done during comradeship in arms may well be perpetuated in the even more anxious days that have followed the War

Besides this, the personnel and staff not merely of the Secretary of State's Council but of the India Office may well be Indianized. This is far more urgently needed than even the Indianizing of the administrative services in India. Also Indians may be given the opportunity of working for specific periods in other spheres of government employ in Britain in exchange for British officers lent to India. This is but a glimpse of what governments can do to promote fruitful interchange and mutual trust and understanding. Outside the spheres of official action there is boundless scope for utilizing, on a far larger scale than has ever been attempted as yet, Indian talent to fill suitable places in private commercial, industrial, and cultural spheres. British publishing firms and journals may experiment in appointing Indian editors or managers for the Indian part of their publishing business. A chair of Indian history and culture, Hindu or Islamic or both, may come to be a normal feature of British universities, and preference should be given to Indians in filling these positions in Britain. The same thing on a more elementary scale may well be attempted in the more important public schools through an interchange of selected masters for specific periods between the two countries. In all this and countless other ways a solution may be found for so regulating Indo-British relations as to make them the envy and desire of all nations.

Appendix A

REVIEW OF THE LOTHIAN COMMITTEE REPORT ON FRANCHISE

THE terms of reference for the Indian Franchise Committee were laid down in the Prime Minister's letter of the 29th of December 1931 to Lord Lothian, the chairman of the Committee; and this appears as Appendix I of the Lothian Committee Report. Therein the purpose of the Committee is stated in broad terms as follows: 'To your Committee His Majesty's Government will look for complete and detailed proposals on which to base the revision of the franchise and the arrangements of constituencies, central and provincial' (*vide* paragraph 2 of letter). Even in this initial broad statement of aim, it is significant that only national and provincial franchises are deemed worthy of mention, and no self-governing institution below that level is envisaged at all. This is thoroughly in line with the efforts so far made to introduce freedom and responsibility into India from the top. The opposite idea of building up suitable provincial and national franchises from the bottom, beginning with small autonomous village units and then ascending upwards, seems to have escaped attention altogether, and indeed to be excluded by the actual terms of reference. This regrettable initial limitation has inevitably vitiated the entire procedure and recommendations of the Committee.

Then it is pointed out by the Prime Minister that 'the present electorate in Indian provinces amounts to less than 3 per cent. of the population of the areas returning members to provincial councils, and it is obvious that under this limited franchise, the majority of the people and many large and important sections of the community can enjoy no effective representation. . . . In these circumstances, it is clearly necessary so to widen the electorate that the legislatures to which responsibility is to be entrusted should be representative of

the general mass of the population and that no important section of the community may lack the means of expressing its needs and its opinions' (*vide* paragraph 3 of letter). Here the contrast between the actual need, pointed out in the earlier sentence and the steps deemed adequate to meet that need in the latter sentence is highly significant. So far as the need is concerned, it is pointed out that 'the majority of the people and many large and important sections . . . enjoy no effective representation'. But the important term 'effective' representation is not defined and it is not made clear as to what exactly can be deemed 'effective representation' for the purposes of responsible government. Precisely because this has not been done, the remedy suggested is grievously inadequate. It merely says that 'the electorate should be so widened that the legislatures to which responsibility is to be entrusted should be representative of the general mass of the population and that no important section of the community may lack the means of expressing its needs and its opinions'. So far as the remedy is concerned it is deemed sufficient that the general mass of the people and every important section of it should have the means of expressing its needs and opinions, i.e. that they should be merely represented in the legislatures. Thus the need for effective representation is lost sight of and mere representation is deemed adequate to meet the need; and the transition from the former to the latter is disguised just because in what 'effective' representation consists has nowhere been precisely determined or explicitly defined. As a matter of fact representation in legislatures is not the only way open to people to express their needs and opinions. Any one may give expression to these anywhere either by speech or through writing, whether that person has been elected to a legislature or not. What the legislature can secure, if it be truly adapted to its function, is to provide means of effective representation. Under a system of responsible government, no representation will be adequate or effective unless it gives scope not merely for expressing needs and opinions, but for ensuring that they

are duly considered and properly acted upon. After all, representation is not an end in itself. It is only a means to the end of responsible government. Unless the representation granted is of such a character as to ensure a real chance and opportunity of active participation in governing, it is hardly of any avail. Herein lies the whole crux of the problem of franchise, and this initial desideratum seems to have been entirely overlooked.

Such an omission has seriously affected the inquiry and report of the Committee. It is significant that the opening paragraph of the questionnaire issued by the Committee which quotes the actual words of the Prime Minister's letter, leaves out altogether any reference to 'effective representation' and merely contents itself with saying that 'it is obviously necessary so to widen the electorates that the legislatures to which responsibility is to be entrusted should be representative of the general mass of the population and that no important section of the community may lack the means of expressing its needs and its opinions' (*vide* opening paragraph under 1. 'Extension of the franchise' of the Questionnaire in Appendix III of the Lothian Report). Accordingly they confined their whole attention to the single question how far it was practicable and desirable under existing Indian conditions to extend the provincial and national franchises. The first question in the questionnaire vividly brings out this serious limitation. It runs as follows: 'What means can you suggest by which the existing franchise for the Provincial legislature could be extended so as to include 10 per cent. of the population in the electoral roll?' Even concerning this very limited extension of the franchise, which would leave the vast majority of people unfranchised, they ask in the second place, 'Do you consider that such an electorate will be capable of casting an intelligent vote?' To this question there can be only one honest answer, namely that extension of the franchise by lowering qualifications cannot possibly yield a more intelligent electorate. This crucial difficulty is nowhere squarely faced and surmounted in the report, and attention is diverted to secondary questions as

to what extension of the franchise is administratively manageable and how it may be devised in order to secure that each community or section may obtain a voting strength proportionate to its numbers. In order to answer these subsidiary questions, the means adopted is to utilize the familiar categories of property and educational qualifications for the franchise, and by lowering them in the case of women, depressed classes, and urban and rural labourers, secure a larger representation for these sections in the legislatures than at present. Over a decade ago when the existing franchise was introduced into the country, it never occurred to the Southborough Franchise Committee or the Central Governments in Britain or India, or any of the Provincial Governments, to make a useful distinction between the qualifications required for merely exercising the vote and the further qualifications that are requisite for standing for election. Just because this initial precaution was not taken and no distinction was made between the two very different functions, it was possible for those opposed to the reforms in India to put up dummy candidates in order to make a mockery of the constitution. The Lothian Committee have not profited by that experience and have proposed lowering qualifications for the franchise still further without adopting necessary precautions to safeguard the legislatures from deteriorating in quality.

In a striking passage in the Report the Committee have admitted that 'the history of democracy is filled with controversy over the methods of representation. Adult franchise can secure equality in casting votes, but whether these votes are effective in securing representation in the legislatures depends upon the system of representation employed. The original practice of democracy was to provide for majority rule on the basis of the whole population voting as a single constituency (the system in force for the election of the American and German Presidents), or in territorial constituencies containing as far as possible an equal number of voters. It was not long, however, before minorities, religious, political, social, or economic, claimed that the system of majority rule was unduly

crude in its operation, and was unfair to important sections of the community having opinions or interests of their own, which under the single-member constituency system, had no chance of securing direct representation in the legislature. The system of proportional representation was introduced to protect . . . minorities from an unrestricted and tyrannical use of the democratic principle expressing itself solely through majority power. It has many forms from that of the single transferable vote in constituencies returning three to five members (or alternatively of the single non-transferable vote) to the system of cumulative voting. Public opinion throughout the world has not as yet come to any clear conclusion on the matter, for both systems are in operation in different countries. But broadly it may be said that the single-member system tends to provide stable party majorities in the legislatures, and to be more convenient for voters and candidates as the constituencies are smaller, while the proportional system gives a fairer representation of opinion but multiplies parties and magnifies the size of constituencies to three or five times the size of single-member constituencies, according to the number of members to be elected. . . . It is impossible for us at this stage to express any opinion as to which system should be adopted in the new constitution, for the question lies at the core of the communal problem which is beyond our terms of reference' (*vide* paragraphs 365 and 367 of the Lothian Report). In substance this amounts to a confession on the part of the Committee that they have attempted to determine the nature and the extent of the franchise for representative and responsible bodies in India, without having settled the precise method of representation that will be best suited for the purposes of responsible government and best adapted to the conditions prevailing in the country. It does not matter very much if public opinion in the world has not as yet come to a decisive conclusion as to the relative merits and demerits of different systems of representation in the abstract. That does not make it unnecessary to consider the immediate question of what kind of representation will be best suited to meet the actual

needs of the Indian situation. This important initial inquiry does not seem to have been conducted by the Committee or indeed by anybody in connexion with the recent deliberations over Indian constitutional reforms. Unless this grave omission is made good by Parliament insisting on a thorough and searching inquiry into this matter, it will be vain to propose any system of franchise for India merely on the inadequate analogies of other countries.

Starting with the unquestioned assumption that their inquiry is rigidly confined to finding a working basis of some sort for Indian provincial and national franchise, they came to the inevitable conclusion that adult franchise in any shape or form direct or indirect is simply impracticable in that scale. They confess that 'after discussing simplified polling methods with officials in every province, we are faced by the fact that without a single exception every one of the Provincial Governments and the provincial committees has not only declared that adult franchise is administratively impracticable to-day, but has placed the maximum of administrative practicability at some figure below 20 per cent. of the total population, corresponding to very much less than half of the adult population. In these circumstances, while we refrain from dogmatic assertions as to the exact numbers, or the exact percentage, of the population which can be polled, either in each individual province, or in British India as a whole, we are of opinion that complete adult franchise is administratively impracticable at the present time' (*vide* paragraph 32 of the Lothian Report). Apart from the administrative difficulties, it is pointed out that 'the two special problems which confront India in setting on foot a system of responsible government, are the huge numbers involved, numbers which are far larger than have ever been made the foundation for a democratically governed state in history . . . and the fact that only 8 per cent. of these are literate' (*vide* paragraph 33 of the Lothian Report). However, they admit that 'literacy is by itself no test of wisdom, character, or political ability' and that illiteracy need not mean that the individual is incapable of giving an intelligent

vote on matters within the range of his knowledge and experience. Having stated this about provincial franchise, they meet with the same difficulty in a more aggravated form when they come to deal with national franchise for constituting all-Indian assemblies and say: 'If therefore India is at some stage to introduce adult franchise for the federal legislature it will mean that each British-Indian constituency on the average will cover an area of over 1,700 square miles and will contain almost 500,000 people or about 250,000 electors. It is impossible that a responsible system can function successfully on such a basis, especially if there is still a large illiterate vote' (*vide* paragraph 402 of the Lothian Report).

If so the obvious way out of the difficulty is to confine the scope of sovereignty to the range of the actual knowledge and experience of the people concerned, rather than to seek to extend it somehow to vast provincial and national areas as the only possible units of administration. This course does not seem to have been considered at all by any one in the Committee or outside it in official or non-official circles in India or Britain, and the Committee content themselves with saying, 'The question of adult franchise has been, in a sense, the largest that is before us, and we have endeavoured to set out candidly what can be said both for and against it. Having regard to the prodigious task of educating a mainly illiterate electorate, the fact that party organization is still in its infancy, and the burden both for the official machinery and for the candidates of dealing with 130 million voters, it seems to us to be the course of wisdom and statesmanship not to attempt to launch the new construction on the basis of adult franchise, but to seek a more manageable basis, at the same time providing that the system of franchise will give reasonable representation to the main categories of the population; it will then be for the legislatures themselves, after a definite period has passed, to determine at what pace the electorate should be expanded and the date when they may wish to introduce adult suffrage' (*vide* paragraph 39 of the Lothian Report). So on the vital question of the enfranchisement of the vast

masses of the Indian people, which was specially referred to the Committee, all that they had to say was that it should be left to future Indian legislatures and contented themselves with suggesting that broadcasting might be used as a means to hasten the education of the Indian electorate in matters of national and provincial importance. Besides, it is noted by them that 'the task of political education can be properly undertaken only by organized political parties. In no country in the world has democracy either on a restricted or universal franchise ever functioned successfully without a well-developed party system. . . . Party organization is still rudimentary in India. Local difficulties such as communal feeling have done much to hinder its growth. Such organizations as exist have been largely pre-occupied with the question of securing national self-government for India, rather than with the policies which should be followed after responsible government has been attained. Indeed, it is only after responsible government has been introduced that the alignment of parties on normal political lines will begin to develop' (*vide* paragraphs 37 and 38 of the Lothian Report). This makes it abundantly clear that on the Committee's own admission, they had no constructive suggestions to make or useful devices to propose with reference to franchise, which would either enable the vast majority of people to be enfranchised and politically educated or for the formation and growth of genuine political parties so indispensable for the successful working of democratic institutions.

It now remains to examine the nature of the proposed franchise that will set up new legislatures which are expected by the Committee to solve the vital problems that they themselves left unsolved. This brings us to the specific recommendations of the Committee. Perhaps the most valuable part of their report is contained in Chapters III and IV in which are clearly brought to light the various disadvantages of different forms of indirect franchise which had been put forward by many as an easy way of setting up bogus democracy. This paves the way for their own positive recommendations for the extension of the direct vote. Chapter VI, entitled 'The Broad

Basis of our Proposals', explains the grounds on which the recommendations are based. These consist merely in recommending that the existing property qualification should be lowered so as to enfranchise a larger number. This is to vary in nature and level according to the circumstances of the different Provinces. Besides they propose that an educational qualification should supplement the property qualification and that this should be uniform for the whole country and should be of the upper primary standard in the case of men and only literacy in the case of women. Apart from these it is recommended that the following classes of persons should also be enfranchised, namely,

1. Wives of men who now possess property qualification for the vote.
2. Members of special constituencies created for labour.
3. Members of the Depressed Classes, for whom specially low franchise qualifications are to be prepared.
4. All income-tax payers.

Besides it is recommended that the existing military service qualification for the vote should be retained, but that it should now be extended to those enrolled in the Auxiliary or Territorial forces; and that seats at present allotted to special interests like commerce, industry, landlords, and universities should be retained, but that their number should not be increased.

The net result of their proposals will be, according to their own reckoning, to increase the electoral roll suddenly and at one stroke of the pen from 7 millions to 36 millions, and to enfranchise about 14·1 per cent. of the total population, and about 27·6 per cent. of the entire adult population. Even so it amounts to an admission that they have failed to suggest any effective ways and means of enfranchising the remaining larger percentage of the population. They calmly contemplate leaving more than two-thirds of the entire adult population unenfranchised and at the mercy of the less than one-third enfranchised classes, trusting them to extend the franchise to

the others when and as they think it fit. Have the Committee forgotten the long-drawn-out and bitter struggles that have taken place elsewhere in order to secure extensions of the franchise? The risk is all the greater under Indian conditions of caste prejudice and autocratic tradition. The danger involved in the Committee's proposal will become apparent when one realizes that the enfranchised sections to whom future extensions of the franchise are to be entrusted, are generally the propertied upper classes who have from time immemorial been regarded as the heaven-appointed natural rulers of the people and who to this very day deny elementary human rights to large numbers of their fellow men. Their record is such as to show that they are the last people to be trusted with the responsibility of extending the franchise.

This serious defect in the Committee's proposals has been glossed over by Indian national leaders and His Majesty's Government alike. It now remains for Parliament to declare unequivocally whether it is prepared to abdicate its responsibility for the voiceless poverty-stricken millions by entrusting it to the hands of a privileged propertied and literate minority, whose whole outlook and tradition are autocratic and who will be the last people in the world to relax their hold on power and to share it with those over whom they will now be set to rule. Any alternate scheme that succeeds in effecting the enfranchisement of the masses, such as that sketched in the body of the chapter on Franchise in the present work, is worthy of serious consideration and ought to take precedence over the Lothian Committee's proposals. It is at least worth while investigating whether the responsibility now proposed to be conceded to Provincial and National Legislatures on property and literary qualifications should not be counterbalanced by other qualifications calculated to enfranchise the masses of the people on a progressive scale from conveniently small self-governing units right up to the Provincial and National Governments. In order to explore the possibilities of such a broad-based scheme of franchise adapted to Indian conditions and to determine in what precise shape and form it is practicable, it is

essential that the task should be entrusted to a special committee composed at least of some persons thoroughly imbued with the basic idea of building up the franchise from the bottom rather than of introducing it from the top and who are keen to explore fruitful new ideas as to qualifications for the franchise.

Appendix B

SUMMARY OF PROCEEDINGS OF SUB-COMMITTEE No. III (MINORITIES)

THE first Round Table Conference set up Sub-Committee No. III (Minorities) 'to consider the claims of minorities'; it was composed of 38 members of the Conference together with the Prime Minister himself as chairman. The preliminary report of this important sub-committee was presented to a committee of the whole conference on the 16th and 19th of January 1931. The substance of that report may be summarized as follows:

1. It was unanimously of opinion that for the success of responsible government in India the co-operation of all communities is essential (*vide* paragraph 2 of its Report).

2. In order to secure such co-operation, the new constitution should contain provisions designed to assure communities that their interests would not be prejudiced (*vide* paragraph 2 of its Report).

3. That it is particularly desirable that some agreement should be reached between those major communities in order to facilitate consideration of the whole question (*vide* paragraph 2 of its Report).

4. For this purpose, it was felt necessary to have an authoritative statement of (a) claims put in by the representatives of each community, along with (b) proposals as to how their interests should be safeguarded (*vide* paragraph 2 of its Report).

5. One chief proposal was to include in the constitution a declaration of fundamental rights safeguarding the cultural and religious life of various communities and assuring to every one without discrimination the free exercise of economic, social, and civil rights (*vide* paragraph 3 of its Report).

6. It was generally admitted that a system of joint electorates was most consistent with democracy in the abstract and would be acceptable to the Depressed Classes after a short transitional

period, provided the franchise was based on adult suffrage, but the opinion was expressed that in view of the distribution of the communities in India and of their unequal economic, social, and political effectiveness, there was a real danger that under such a system the representation secured by minorities would be totally inadequate and give no communal security (*vide* paragraph 4 of its Report).

7. Claims were urged by the representatives of various communities for communal representation and for a fixed proportion of seats for each such community, in no case less than its proportion in population (*vide* paragraph 5 of its Report).

8. The methods by which this result could be secured were considered to be mainly three, namely:

(a) Nomination—unanimously deprecated (*vide* paragraph 6 of its Report).

(b) Joint electorates with reservation of seats—open to doubt whether it would guarantee genuine representation for minorities, as it might actually work out in minority representatives being elected by majority communities; besides, it would in effect be only a form of communal representation having all the defects of open communal electorates (*vide* paragraph 7 of its Report).

(c) So that separate electorates seemed the only course that would be generally acceptable to minority communities. But apart from theoretical objections, it involves the great practical difficulty of determining the precise amount of representation to be conceded to each community. If nearly all seats be apportioned to different communities, there will be no room left for independent political opinion or true political parties. This was further complicated by the demand that the Depressed Classes should be deducted from the total Hindu population and for electoral purposes treated as a separate community (*vide* paragraph 8 of its Report).

9. In order to meet the obvious objection against assigning seats to communities, it was suggested that only a proportion of 80 or 90 per cent. should be so assigned and that the rest

should be filled up by open election and that as far as possible no communal candidate should be deemed elected unless he secures at least 40 per cent. of the votes of the community concerned and at least 5 or 10 per cent. of the votes of other communities according to arrangement. But this was not regarded as securing adequate guarantees by the communities concerned and besides was open to objections similar to those urged against communal electorates (*vide* paragraph 9 and 10 of its Report).

10. No claim for reservation of seats for women in joint electorates was made. So they will continue to be eligible on the same footing as men. But in order to familiarize the public mind with the idea of women legislators it was urged that temporarily in the first three councils 5 per cent. of the seats be reserved for women to be co-opted by the elected members voting by proportional representation (*vide* paragraph 11 of its Report).

11. There was general agreement that this representation of important minority communities on the Provincial Executives was a matter of the greatest practical importance for the successful working of the new constitution; and that on the same grounds Muhammadans should be represented on the Federal Executive. A similar claim was made on behalf of smaller minorities either individually or collectively, and in the event of this being found impracticable that there should be in each executive a minister for protecting minority interests. The obvious difficulty of working jointly responsible executives on such a basis was pointed out (*vide* paragraph 12 of its Report).

12. The discussions in the Sub-Committee brought to light difficulties involved in the various methods suggested; and though no general agreement was reached, the necessity for such agreement became more apparent than ever. Failing such an agreement, it was clear that separate electorates with all their drawbacks and difficulties would have to be retained as the basis of electoral arrangements under the new constitution; but this would raise the perplexing question of the

adequate proportions to be assigned to the various communities. So it was agreed to recommend to the Conference that it should register an opinion that it was desirable that negotiations between the various representatives should be continued and that an agreement upon claims made should be reached and the result reported to the next Conference. The report concludes with noting that the Minorities and Depressed Classes were emphatic in their assertion that they could not consent to any self-governing constitution for India, unless their demands were met in a reasonable manner.

When the Second Session of the Indian Round Table Conference met in London in September 1931, the Minorities Sub-Committee was reconstituted with an enlarged membership, including the representative of the Indian National Congress. At its first meeting it was reported that internal negotiations were being conducted under the leadership of Mr. Gandhi, between some of the communities concerned, and in order to give them time to reach an agreed conclusion, the Sub-Committee adjourned twice. At its third meeting it was reported by Mr. Gandhi that the efforts made had proved entirely abortive; and the Committee decided to adjourn once more in order to provide the opportunity for fresh efforts to be made to reach a settlement. When it assembled for the last time on the 13th of November it had to record that 'it has been unable to reach any agreed conclusion' (*vide* paragraph 6 of Second Report of Minorities Sub-Committee); and it was agreed that various statements and proposals that had been put forward by different parties concerned should appear as Appendices to its Report. Before the Committee adjourned *sine die*, it was suggested by some delegates that under the circumstances the British Government should settle the dispute on its own authority. The Prime Minister in his capacity as chairman of the Committee offered to give a temporary settlement of the question, provided he was asked to do so by every member of the Committee signing a pledge to support his decision in order to enable the new constitution to come into operation. The actual proceedings of the Sub-Committee as

well as the various proposals contained in the appendices to its report, make it abundantly clear that no radically different approach to the problem was attempted by anybody, and that attention was wholly concentrated on pursuing the same old lines of thought that had in the past proved so unfruitful.

Appendix I gives the Congress scheme for a communal settlement which was circulated to the Committee at the request of Mr. Gandhi. The essence of the scheme is contained in paragraphs 1, 2, and 3 of the resolution of the Working Committee of the Congress. It seeks to solve the minority problem by laying down that: 'The article in the constitution relating to Fundamental Rights should include a guarantee to the Communities concerned of the protection of their cultures, languages, scripts, education, profession and practice of religions, and religious endowments. Personal laws shall be protected by specific provisions. . . . Protection of political and other rights of Minority Communities in the various Provinces shall be the concern and be within the jurisdiction of the Federal Government.' It does not seem to have occurred to the champions of this rider, that a proper guarantee of Fundamental Rights in the written constitution is not of much avail, unless definite machinery for enforcing the rights be provided. The only suggestion for providing means for enforcing declared minority rights is contained in the last part of the passage quoted above which lays down that the protection of minority rights in the various Provinces is 'the concern and within the jurisdiction of the Federal Government'. This is entirely useless, for it does not show how the communal problem is to be solved in the composition of the Federal Government itself, in order to ensure its being an impartial neutral authority that can be relied upon to safeguard minority interests.

Further, the Congress scheme lays down that 'the franchise shall be extended to all adult men and women'. It is difficult to see how adult suffrage can by itself yield any satisfactory ways and means of enforcing minority rights. The intention of the supporters of the scheme becomes clear in the Note A attached to this clause, which says, 'the Committee

wishes to make it clear that in any event the franchise shall be uniform and so extensive as to reflect in the electoral roll the proportion in the population of every community'. If so the utmost that is hoped for is to reproduce in the legislatures the minorities that actually exist in the country according to the proportion of their respective numerical strengths. Even if this were accomplished it is no solution of the minority problem, for it cannot by itself enable those minority representatives to safeguard the interests of the respective communities. But adult suffrage by itself cannot ensure even the election of any minority representatives. That this is so follows from paragraph 3 of the Congress scheme which lays down that 'joint electorates shall form the basis of representation in the future constitution of India'. Mr. Gandhi, anxious to prevent any such suspicion, had added a Note B to it saying that 'whenever possible the electoral circles shall be so determined as to enable every community, if it so desires, to secure its proportionate share in the legislature'. For example, if a minority community is $1/20$ th of the population, then the utmost it can aspire for is $1/20$ th representation in the legislature. Nothing is said in the Congress scheme as to how this $1/20$ th representation is to be secured in the joint electorates. Even if it were secured by special reservation of seats, how can it be expected that this $1/20$ th of the legislature can make its point of view prevail as against the remaining $19/20$ ths of that body. Therein lies the crux of the communal problem and it is entirely untouched by the Congress scheme. So it is not surprising that this scheme has not proved acceptable to minorities. Its unsatisfactoriness is not in any way removed by the pious general declaration assuring 'the Sikhs, the Muslims and other minorities that no solution . . . in any future constitutions will be acceptable to the Congress that does not give full satisfaction to the parties concerned'. Such an assurance cannot by itself in any sense claim to be a solution of the problem satisfactory to all concerned.

The remaining appendices contain the suggestion of the Hindu Mahasabha on the one hand, and of the various minority representatives on the other. The former endorses the

Congress scheme on the whole, but stresses that the franchise should be uniform, irrespective of which different communities secure representation proportional to their numerical strength; while the latter all seek to secure for their respective minorities representation in excess of what they are strictly entitled to on the population basis. In neither case is there any basis for a solution of the problem how to find adequate ways and means to ensure minority rights under democratic conditions of majority rule.

Appendix C

CRITICAL REVIEW OF THE SKEEN COMMITTEE REPORT

THE Skeen Committee took a wide and comprehensive view of their terms of reference, and submitted by far the most constructive suggestions yet made on the subject. The most valuable part of their report is contained in Chapter II, which is devoted to their first term of reference, namely: 'By what means it may be possible to improve upon the present supply of Indian candidates for the King's Commission both in regard to number and quality.' After surveying steps so far taken, an attempt is made to analyse the causes of the present failure and it is pointed out:

1. That the root cause consists in the fact that until very recently Indians were wholly excluded from positions of high responsibility in the Army, and consequently there is 'on the part of the generality of Indians great widespread ignorance as to the possibilities of a career in the higher ranks of the Army and a corresponding lack of impulse to seek out that career and adopt it' (*vide* p. 13 of Report).

2. 'The early education and training which the average Indian boy receives is much less complete than that which a boy enjoys in England, France, or America; and consequently the Indian boy in present circumstances is handicapped in competition with British boys of equal age, especially in a sphere where physical considerations and general aptitude for dealing with and controlling men are of equal importance with purely intellectual attainments.' In the case of the British boy, apart from the literary education he receives, much attention is paid to the training of character by means of games and the throwing of responsibility for much of the school discipline on the shoulders of the boys themselves, practices which lead to the development of a spirit of initiative and power of leadership. Also in British public schools a measure of preliminary military

training is available in the Officers Training Corps. 'The present deficiencies in the Indian educational system have a necessary connexion with the past policy of Government in regard to the admission of Indians to the higher ranks of the Army. In England the educational system has been definitely adapted, in part at any rate, to the production of efficient leaders of men. In India, the educational authorities have had no encouragement to adopt a similar policy: there have been no similar openings for which to train their boys' (summarized from pp. 14 and 15 of Report).

3. There has not been sufficient publicity and suitable propaganda in educating people as to the merits of a King's Commissioned Officer's career, as compared with the better attractions of the civil services (*vide* p. 15 of Report).

4. The present method of selection is too rigidly official, and intending candidates have generally to satisfy a string of officials from the bottom upwards before they can obtain selection, unlike in England where educational authorities play a prominent part in initial selection. It is undesirable that the power of rejecting candidates should be vested in local officials (*vide* pp. 15 and 16 of Report).

5. There is reluctance among Indian parents to send their boys at a very early and impressionable age to a distant foreign country to undergo the stern discipline of a British Military College in which they are liable to be swamped by an overwhelming majority of British boys (*vide* pp. 16 and 17 of Report).

6. The cost of education and military training has been prohibitive in many cases and Indian candidates for the Army receive less pecuniary help than is given in many other countries (*vide* p. 17 of Report).

7. The unpopularity of the system of segregating Indian Officers in certain units according to the 'Eight Units Scheme', instead of allowing them to choose, as British officers do, the units in which they wish to serve, imposes upon the first generations of Indian commissioned officers a too severe and unfair test, besides being in conflict with the principle of

co-operation between British and Indian which has been applied and found helpful in increasing the efficiency of the Indian personnel in every other sphere of Indian administration. Both for psychological and practical reasons the continuance of the 'Eight Units Scheme' can only lead to failure (summarized from pp. 18 to 20 of Report).

8. Apart from most of these subsidiary considerations, one potent cause for the dearth of candidates is the extremely limited scope and avowedly experimental and provisional character of the existing scheme for Indianizing the higher ranks of the Army in India. 'There is reason to believe that the superior attractions of a career in the civil services have already diverted potential candidates from the Army, and it is natural that the minds of parents and of the educational authorities should be impressed with the greater measure of liberality which the Government have recently adopted in regard to the Indianization of the civil side of the Indian administration. . . . The difference of treatment which is at present accorded in the two departments of the administration is great and conspicuous; and the result must surely be that the average Indian parent is reluctant to destine his son to a military career and feels that the Indianization of the Army is, in the minds of the authorities, still suspect and uncertain' (*vide* pp. 21 and 22 of Report).

The Committee conclude their penetrating and suggestive analysis of causes of past failure with stating emphatically that they believe upon evidence of a substantial and credible character that good potential material for the higher ranks of the Army exists in the country, which the efforts of Government have not yet succeeded in reaching. In striking contrast to the cautious methods so far adopted by the Government of providing a few limited openings and then trying to attract Indian recruits by making conditions easy for them, the Committee declare: 'We recognize that there can be only one standard of efficiency, namely, the highest. We hold strongly, therefore, that the severity of the existing tests should not be relaxed in any way, and if Indians capable of satisfying these tests are not forthcoming, then the pace of the Indianization

must for the time being lag behind the number of vacancies offered. But, at the same time, we contend that in order to induce the best material to accept the admittedly arduous preparation for a military career and in order to induce the educational authorities in India to lend their active co-operation, it is necessary to widen the field of opportunity. Apart from reforms in matters of detail which would not in themselves be sufficient, we can find no other satisfactory answer to our first term of reference' (*vide* p. 23 of Report).

The specific recommendations made by the Committee to remedy the glaring defects in the existing state of affairs closely follow their analysis of the causes of present failure, and are of a thoroughly concrete and practical character. Their primary recommendation is that the door of opportunity should be opened wider, and that a substantial and progressive scheme of Indianization should be adopted and subject to the present standard of efficiency being maintained, should be faithfully carried out; and that facilities for intensive training for the King's Commissioned rank should be provided in India. For this end they recommended:

1. An immediate doubling of vacancies in Sandhurst, making a total of 20 places a year reserved for Indian cadets, followed by further increases of 4 per annum till 1933, when a military college on the lines of Sandhurst, with room for 100 cadets, should be established in India, after which 20 places may still continue to be reserved in Sandhurst for Indians who prefer it (*vide* pp. 23 and 24 of Report).

2. Indians should be eligible to be employed as King's Commissioned officers in the Artillery, Engineer, Signal, Tank, and Air arms of the Army in India, and for this purpose they should be admitted to the Royal Military Academy at Woolwich and the Royal Air Force College at Cranwell, provided they qualify by the same tests as British boys, until similar facilities for training come to be provided in India. From 1928 eight vacancies should be allotted to Indians at Woolwich and two at Cranwell, and these numbers should be progressively increased in due proportion. In this connexion it is pointed

out that so far as engineering is concerned, Indians have held with distinction most responsible engineering posts in the civil administration, and there is no reason why they should not prove equally efficient in military engineering; and that the refusal of commissions in the Air Force is singularly indefensible because a number of Indians were actually employed as officers in the Royal Flying Corps during the Great War and rendered eminent service—two of them were killed in action and one was awarded the Distinguished Flying Cross (*vide* p. 25 of Report). Appendix II of the Report shows in detail with reference to facts and figures, how, if the scheme proposed by the Committee were adopted, actually more than half of the total officer cadets of the Indian Army would consist of Indians by the year 1952.

Besides these primary recommendations the Committee made a number of subsidiary recommendations which are summarized below:

3. The Dehra Dun Indian Military College should be gradually expanded and its curriculum and standard of teaching carefully adjusted so as to secure that it should continue to produce suitable cadets for the Army and Navy as well as to confer upon them any education recognized by University authorities (*vide* p. 28 of Report).

4. The Government of India should impress upon educational authorities throughout the country the paramount national importance of reforming the system of education in India with a view to developing in the pupils of the ordinary schools and colleges those characteristics, so essential in an army officer, to which, however, little or no attention is at present paid by them, and should appeal to them to reorganize the institutions under their control to this end (*vide* p. 28 of Report).

5. The upper age limit for entrance to the Army should for the present remain unchanged, but the ultimate aim should be to reduce it so that Indian boys shall enter the Army on an equality as regards age with British boys (*vide* p. 28 of Report).

6. The Army entrance examination in India should be

conducted by a single central authority to which any boy, provided he possessed certain prescribed qualifications, should be eligible to apply direct for permission to sit, and no preference should be given to any particular class or community (*vide* pp. 29 to 32 of Report).

7. Indian boys, whether educated in England or in India, who desire to enter Sandhurst, should be required to qualify for admission by the same test as British boys (*vide* p. 46 of Report).

8. The expenses of maintaining the Indian Military College should be reduced to the lowest level compatible with efficiency, and the fees charged should be fixed at an amount which can be paid without undue hardship by average Indian parents of the classes which provide the majority of cadets; and scholarships should be provided by Government for 20 per cent. of the boys who pass into the College annually, both to encourage talent and to assist the needy, and, in addition, endowment of scholarships through private generosity for boys of particular provinces, classes, communities, and Indian States should be welcomed and encouraged (*vide* pp. 35 and 36 of Report).

9. Viceroy's Commissioned officers who are below 25 years of age and have rendered at least five years' service in the Army and hold a special certificate of education and are recommended by the commanding officer of the units concerned as suitable for holding the King's Commission, should be eligible for admission and should be required to undergo only the last two years' military portion of the course; and special educational facilities should be afforded to the children of the classes from which these officers are drawn, so that the best of them may have a practical chance of rising through Viceroy's to King's Commissioned rank (*vide* pp. 32 and 33 of Report).

10. Suitable Indian students of British universities should be granted direct commissions in the Army, and in order that this may become effective, the Officers Training Corps at British universities should again be thrown open to Indians, as they were during the Great War (*vide* p. 33 of Report).

11. Indian cadets commissioned from the Indian Military

College should be attached to a cavalry or infantry unit in the United Kingdom for a period of one year; and similarly those who qualify at Woolwich should complete their training, as British cadets do, by attending courses at Chatham and Cambridge in the case of Engineer officers and at Larkhill in the case of Artillery officers (*vide* pp. 47 and 48 of Report).

12. The 'eight units scheme' should be abandoned, and Indian King's Commissioned officers should be eligible to be posted to any Indian unit of the Indian Army (*vide* p. 36 of Report).

Appendix D

REVIEW OF REPORT OF SUB-COMMITTEE

No. VII (DEFENCE)

PARAGRAPH 1 merely states its terms of reference as confined to a consideration of 'questions of political principle relating to defence, other than strictly constitutional aspects to be considered under Powers of the Executive and Relations with the Crown', and then enumerates the names of the members of the conference selected to serve on it.

Paragraph 2 notes that the Committee met on four days and resolved that the report be presented.

Paragraph 3 records that 'the discussion in the Sub-Committee centred mainly round the questions of Indianization' and claims that 'every aspect of this question received thorough attention'. It is noted that there was a sharp division of opinion in the Committee as to the rate of Indianization; the majority holding the view that it was a technical question on which the Sub-Committee was not qualified to express an opinion, while a minority urged that complete Indianization of the officer ranks in the Indian Army should take place within a specified period, subject to the requirements of efficiency and the provision of suitable candidates for recruitment as officers in India, and that it was decided that this difference of opinion was fundamental and should be incorporated in the Report.

Paragraph 4 contains the main recommendations of this Sub-Committee and they are as follows:

1. 'The Sub-Committee consider that with the development of the new political structure in India, the Defence of India to an increasing extent must be the concern of the Indian people and not of the British Government alone.
2. 'In order to give practical effort to this principle, they recommend:
'(a) That immediate steps be taken to increase substantially

the rate of Indianization in the Indian Army to make it commensurate with the main object in view, having regard to all relevant considerations, such as the maintenance of the requisite standard of efficiency. (Mr. Jinnah dissented and desired a clear indication of the pace of Indianization.)

‘(b) That in order to give effect to (a), a training college in India be established at the earliest possible moment, in order to train candidates for commissions in all arms of the Indian Defence Services. This college would also train prospective officers of the Indian States Forces; Indian cadets should, however, continue to be eligible for admission as at present to Sandhurst, Woolwich, and Cranwell.

‘(c) That in order to avoid delay the Government of India be instructed to set up a Committee of Experts, both British and Indian (including representatives of Indian States) to work out the details of the establishment of such a college.

3. ‘The Committee also recognize the great importance attached by Indian thought to the reduction of the number of British troops in India to the lowest possible figure and consider that the question should form the subject of early investigation.’

Paragraph 5 records that a view was expressed that ‘no action should be taken so as to prejudice in any way the power of the Crown to fulfil military obligations arising out of treaties with particular Indian States; and that it was ruled and accepted as unnecessary on the ground that neither this Sub-Committee nor any other Committee could in any way abrogate treaty obligations and engagements that were in operation’.

Paragraph 6 states that ‘the Committee were unanimous in their view that the declaration must not be taken as a mere pious expression of opinion, but that immediately the conference was concluded, steps should be taken to deal effectively with the recommendations made’.

Paragraph 7, which is the concluding paragraph, notes that ‘the advisability of establishing a military council including representatives of the Indian states was agreed to’.

A scrutiny of the contents of the Report shows nowhere

a bold and statesmanlike pronouncement seeking to make the defence forces responsible to the people of the country, one which would have disarmed once for all Indian criticism and hostility to existing defence arrangements. If at all, it may perhaps be said to be implied in the general principle couched in vague language, enunciated in resolution (1), which says that 'with the development of the new political structure in India, the Defence of India must to an increasing extent be the concern of the Indian people, and not of the British Government alone'. Even so, nothing is said therein or anywhere else in the Report as to the precise nature of the way in which it can be made to become increasingly the concern of the Indian people, nor is it indicated in what manner and by what ways and means it can be ensured that the British Government and the Indian people can co-operate to this end.

When one passes from the vague general principle enunciated in resolution (1), to the practical steps actually recommended in the subsequent resolutions in order to give effect to it, it is found that the whole emphasis is laid on increasing the Indian in place of the British personnel in the composition of the existing armed forces, and nothing is to be found relating to the real political issue involved of effecting a transfer of responsibility for the defence forces to the people of India while at the same time ensuring their co-operation with Britain for a common end. It looks almost as if all this was somehow expected to be accomplished merely by substituting an Indian element in place of the British element in the officer ranks of the existing forces. It is surprising that this all-important matter should have received such scanty consideration in the Sub-Committee, and that it should also have been overlooked by the whole Conference that adopted the Sub-Committee's Report. As a matter of fact, in the course of the discussions in the Defence Sub-Committee, especially in its later stages, the weakness of the second line of defence behind the regular forces in India was brought to light; and figures were quoted comparing it with other countries like the United States of America. But the matter was not pursued to any definite decision and led

to no specific recommendation. Had this been explored, the Sub-Committee might have discovered the possibility of organizing forces at least on the second line of defence responsible to Indian Legislatures, and of correlating them in a satisfactory way with the regular armed forces which are under the control of Britain.

Appendix E

REVIEW OF THE REPORT OF SUB-COMMITTEE No. VIII (SERVICES)

THE Report begins with quoting the terms of reference as 'The relation of the Services to the new political structure' and naming the members selected to serve on it, and also noting that it met on six days and authorized the Report to be made on its behalf.

Paragraph 1 deals with existing members of the Services and says:

(a) that due provision should be made in the new constitution for the maintenance of the rights and safeguards already guaranteed to existing members of the Public Services;

(b) that suitable safeguards for the payment of pensions (including family pensions) and provident funds should be provided;

(c) that such steps as are necessary to reassure existing members of the Services to serve with loyalty and efficiency for their normal term, should be taken so that the working of the new constitution may not be embarrassed by the economic waste and administrative difficulties which a change of staff on a large scale would entail;

(d) that to this end the right to retire on proportionate pension should be extended, in the opinion of some for an unlimited term, and in the opinion of others for a period not exceeding five years.

Paragraph 2 deals with future recruitment for all-India services. Here it is recommended (i) that the Indian Forest Service with the Irrigation Branch of the Indian Service of Engineers should be provincialized; (ii) that the recruitment for the Indian Civil and Indian Police services, should continue on an all-Indian basis; and (iii) that a majority in the Committee were of opinion that the recruitment for judicial offices should no longer be made from the Indian Civil Service.

Besides it is noted that four members of the Committee preferred that the Irrigation Service should remain an all-India service, while two other members desired that all services should be provincialized forthwith and that three others were averse to further recruitment on an all-India basis for the Civil or Police services, save in respect of the European element in those services.

Paragraph 3 is devoted to the recruiting and controlling authority for the future all-India services. (i) It is noted that opinion was divided as to whether a European element should be continued in the Indian Civil and Police services, that the majority were in favour of continuance, and that opinion was again divided as to the precise ratio, some favouring the lines laid down by the Lee Commission, others preferring that it should be decided by the future Government of India; (ii) that whatever the ratio be, the majority in the Sub-Committee held that the recruiting and controlling authority in the future should be the Government of India, to whom should be left the decision of all questions such as conditions of recruitment, service, emoluments, and control; while a minority in it thought that the Secretary of State should be the recruiting authority, for without a right of appeal to him and through him to the British Parliament it would not be possible to secure the right type of recruits for the British element in the services.

Paragraph 4 dealing with the Indian Medical Service recommends:

(i) that subject to paragraph 1 there should be no civil branch of this Service in future, that no such appointments should be listed as reserved for Europeans as such; and that in future they should be recruited through the Public Service Commissions.

(ii) that in order to provide a war reserve, a clause should be inserted in the contracts of service of a sufficient number of such officers that they should undergo military training and render military service when called upon to do so, the extra cost involved being treated as an army charge;

(iii) that the requirements of the Army and of British officials in India should be borne in mind by the Government and Public Service Commissions, who should accordingly take steps to recruit a fair and adequate number of European doctors to their respective Civil Medical Services and pay such salaries as would ensure this result;

(iv) that an agreement should be reached whereby preference may be given to those who have served in the Army, in selecting European doctors.

Paragraph 5 is devoted to 'Public Service Commissions' and it recommends that (1) 'In every Province and in connexion with the Central Government a Statutory Public Service Commission shall be appointed by the Governor or the Governor-General as the case may be;

(2) 'Recruitment to the Public Services shall be made through such Commissions in such a way as to secure a fair and adequate representation to the various communities consistently with considerations of efficiency and the possession of the necessary qualifications;

(3) 'Members of the Public Service Commissions shall hold office during the pleasure of the Crown . . . they shall after ceasing to be members of a Commission, be ineligible for a period to be fixed . . . for further office under the Crown in India, except that persons who have been members of a Provincial Public Service Commission shall be eligible for appointment as members of the Central Commission or of another Provincial Commission and vice versa;'

(4) Special consideration should be given to the claims of the Anglo-Indian community for employment in the Services;

(5) No person shall be under any disability for admission into any branch of the Public Services of the country merely by reasons of community, caste, creed, or race, and it should in no case determine promotion or supersession. This is recommended particularly with reference to the Depressed Classes, towards whom a generous policy of recruitment to all services, including the Police, is urged.

Paragraph 6 deals with the special case of the 'internal

administration of the police'. No clear decision is recorded in this matter, but it is merely noted that some members of the Committee deemed it undesirable to make any recommendation which might be regarded as infringing upon the discretion of future Provincial Governments, while others considered that the existing control over the police forces exercised by the Inspectors-General under the Police Act of 1861 should be continued and should not be subject to repeal or alteration by any Legislature, without the prior consent of the Governor-General; and that the same should apply to the Police Acts of the Governments of Bombay, Bengal, and Madras.

Paragraph 7, which is the concluding paragraph, recommends that the Government of India should be the authority for recruitment to the services which are under the control of Ministers responsible to the Legislature; and notes that the Sub-Committee does not feel called upon to make any recommendation regarding the services which are under the control of the Governor-General.

Appendix F

SUMMARY OF AMENDMENTS

SUGGESTED IN ORDER TO SAFEGUARD AGAINST THE GRAVE RISK OF THE PROPOSALS CONTAINED IN THE WHITE PAPER CMD. 4268 RESULTING IN THE ESTABLISHMENT OF AN OLIGARCHY IN INDIA, HOSTILE ALIKE TO THE BEST INTERESTS OF THE INDIAN MASSES AND TO GREAT BRITAIN

(*Note.* British policy towards India has in recent decades increasingly come to be determined in response to vocal public opinion in that country. The recent Round Table Conferences are the outcome of this policy. The proposals in the White Paper are largely the result of the Round Table deliberations. The selected Indian delegates who were invited to the conferences as well as those now invited to confer with the Joint Select Committee really represent only the propertied upper classes and the politically minded Indian intelligentsia, who form only a section and by no means the whole of the Indian population. The remaining major part of the population is not articulate and its point of view and interests are apt to be overlooked under modern India conditions. Hence the supreme need for an objective study of the Indian situation and a scientific analysis of its varied actual needs. Every claim put forward by Indian delegates and every proposal made by the Government must be scrutinized and evaluated from this impersonal standpoint. The amendments summarized in this memorandum embody an attempt to supply this need.)

WHAT IS PROPOSED

Provincial autonomy and responsibility at the centre to be established in India, based on a limited suffrage, with certain temporary safeguards to be provided by Britain during a transitional period, i.e. an oligarchy cloaked under the disguise of democracy with nothing to ensure freedom and responsibility for the masses or the continuance

WHAT IS NEEDED

1. Objective

Adhesion to the declared policy of Parliament in the establishment of responsible government in India as an integral part of the British Commonwealth by stages to be determined by Parliament, i.e. government responsible to the whole mass of the Indian people and not merely to any one section of it, and of such a character as to ensure India's remaining a member

WHAT IS PROPOSED

of India as an integral part of the British Commonwealth.

WHAT IS NEEDED

of the league of many nations in the British Commonwealth.

2. *Method*

Attempt to introduce freedom and responsibility from the top by bargaining with and enfranchising chiefly the propertied upper classes for establishing provincial autonomy and responsibility at the centre, with safeguards requiring Britain to intervene from outside when things get into a muddle in the affairs of free India. This continues further the method of diarchy hastily introduced in 1919.

Parliament should insist on freedom and responsibility for the masses to be built up on secure foundations from the bottom in the shape of local autonomy with substantial devolution of financial resources and legislative and executive functions side by side with provincial autonomy and responsibility at the centre, in such wise that the top and the bottom may accord with each other in order to ensure orderly progress and freedom and responsibility not merely for some, but all in India.

3. *Franchise*

As it is found impracticable to introduce adult franchise on a provincial and national scale, it is proposed to extend existing franchise mainly based on property by lowering the qualifications, by adding a literacy test and by providing still lower special qualifications to ensure a certain proportion of women and Depressed Class representation, resulting in enfranchising approximately about 30 per cent. of the adult population; this extension is to take place suddenly and at one stroke irrespective of the ruinously high expenditure involved

A. A graded franchise suited to the varying needs of local areas, larger taluq and district units and finally Provincial and National Governments.

B. There is nothing impracticable about making adult franchise the basis of local autonomy in each natural unit of habitation and assigning a maximum of resources and functions to local authorities.

C. This will reduce correspondingly the functions to be assigned to higher taluq, district, provincial, and national authorities and the resources needed by them.

D. The more remote matters

WHAT IS PROPOSED

in preparing and maintaining electoral rolls, and holding elections on such a scale, and without any safeguard against the inevitably resulting deterioration of the quality of the electorates and legislatures to be set up.

WHAT IS NEEDED

dealt with by these bodies can be left to correspondingly restricted select electorates constituted on the basis of progressively higher qualifications.

E. There is no justification for confining higher franchise chiefly to propertied classes; so in addition to property, literacy, and military service, a graded schedule of other forms of recognized public service of such varied and comprehensive character as to give a fair chance to men and women of all classes, service which will qualify for the higher franchise, may be usefully laid down tentatively for a specific period and then revised in the light of subsequent experience.

F. In order to prevent deterioration in the quality of the legislatures a clear distinction should be made at each stage between the lower qualifications which may suffice for exercising the vote and the higher qualifications required for standing for election.

4. Minorities

A. Communal representation granted to certain minorities in the advisory councils that existed in the past, has been uncritically extended to the legislatures set up.

But—

B. No amount of artificial

A. In order to ensure effective minority representation there should be in each area two constituencies—one for the majority community and the other not only for the Muhammadans as at present but a joint minority constituency for all minority communities.

WHAT IS PROPOSED

weightage and preferential treatment can transform a minority into a majority or give it the opportunity of effective representation or actual control of power.

c. The British Government's communal award provides no cure for existing tension, but will only accentuate and perpetuate it.

d. Under Indian conditions it will give a permanent statutory majority to the major community in each province and deprive the others of ever acquiring real power and control of affairs; it provides no machinery for the alternating governments which are indispensable for the success of democratic government.

e. On the contrary it will result in small groups in legislatures with no clear mandate from the electorate, everlastingly conspiring to set up and knock down executives and intriguing for transitory advantages.

f. It is not based on a scientific and objective analysis of the actual needs of the different sections of Indian society, but is a mere patchwork of compromises between the random claims put forward by the invited spokesmen of different sections at the Round Table Conferences.

WHAT IS NEEDED

B. These two need not actually coincide territorially, any more than the present division of Muslim and non-Muslim constituencies coincide.

c. Instead of fixing the number of seats in legislatures, it may be left to be determined by the number of qualified voters. If a larger number qualify for the vote, they will be entitled to more representatives. This will act as a stimulus for both sides to produce a maximum of qualified voters.

d. Initial division of constituencies may be effected by a small expert committee in consultation with the main interests concerned in each area.

e. Whatever initial distribution is made as a working basis for the constitution to start functioning, it will involve no injustice to any one if it is clearly laid down as tentative and subject to revision, and that those on either side can transfer themselves to the opposite side by requesting the electoral authorities to transfer them. In order to prevent capricious changes, a time limit may be fixed within which no changes will be permitted.

f. This will lead both sides to strain their utmost to put forward beneficent schemes calculated to win widespread allegiance to their side and thus machinery will be created for setting up an alternative government.

WHAT IS PROPOSED

WHAT IS NEEDED

G. By this device minority communities will get not only effective representation but the opportunity of actual power, by being able to grow into political majorities by their own efforts, and thus a real cure for the present communalism will have been found.

5. *Defence*

A. The twofold needs of Indian defence against foreign aggression and the maintenance of internal peace to be ultimately met by existing professional highly trained armed forces, including a strong British contingent.

B. Britain to be responsible for defence till India is prepared to undertake responsibility for her own defence.

C. Meanwhile the only practical thing proposed to be done is the progressive substitution of Indian for British officers in the commissioned ranks of all arms and the complete Indianization of certain units.

D. Proposed arrangement to make Britain responsible for defence, while the finance is to be provided by India, is calculated to lead to deadlocks.

But—

E. The crude expedient of making defence expenditure non-votable for a number of

A. A satisfactory solution of the thorny Indian defence problem may be reached if the very different needs of external defence and internal security are sharply distinguished.

B. The former requires a highly trained up-to-date mechanized professional force capable of holding its own against organized foreign attack.

C. External defence requires not only land but also air and sea forces of such a ruinously expensive character as to be entirely beyond the means of India. Fortunately the need to create such forces can be avoided by India choosing to remain an integral part of the British Commonwealth; and, in return for the security that she thus gets, her great natural resources and her enormous man-power will be assets available if danger threatens any other part of the British Commonwealth of nations as was so conspicuously the case during the Great War. Such a co-part-

WHAT IS PROPOSED

years will not be of much avail as it cannot remove dissatisfaction with the arrangement and prevent strong agitation to alter it.

F. Even if the system is made to work, beyond providing jobs for a few upper class people in the officer ranks of the army, it will accomplish nothing to bring home to the masses of the people any knowledge or sense of responsibility concerning their own self-defence.

WHAT IS NEEDED

nership for mutual defence is thoroughly honourable, and is more economical and effective for both sides than for each to attempt to be self-sufficient in itself for defence purposes.

D. The needs of internal security can be met by less expensive and less highly trained infantry and cavalry regiments constituted on a territorial voluntary basis in every part of India. This will diffuse knowledge of and training in the elements of defence among the masses of the people and enable them to appreciate their responsibilities.

E. The training and instructive staff for this gigantic enterprise can be provided from the ranks and from ex-service men now remaining unemployed in Britain and from the European and Anglo-Indian communities in India already trained in military service. The control of these forces, while adequate for local needs, will not be a menace to any one and may safely be entrusted to Indian ministers responsible to Indian legislatures.

F. Those who show real aptitude and distinguish themselves in the citizen militias may be drafted for intensive training in the regular forces and may become professionals. Thus the foundations will be laid for the building up of effective nation-wide indigenous defence forces in active co-partnership with Great Britain.

WHAT IS PROPOSED

WHAT IS NEEDED

6. *Finance*

The outstanding feature of Indian public finance from time immemorial is its highly centralized character. Through all the centuries victorious conquerors have imposed taxes and collected and expended revenues as they deemed fit; and the masses of Indian people to this day acquiesce in the will of the ruler as the sole source and justification for financial as well as other public matters. British administration inherited this autocratic centralized financial tradition and continued to collect and spend revenues as it deemed fit. In recent decades steps have been taken to introduce some financial devolution from the Centre to the Provinces. The Montagu-Chelmsford Reforms tried to separate Central and Provincial revenues. Recent discussions have all concentrated on apportioning resources between the Centre and the Provinces, between British India and the Federating States, and providing safeguards against commercial discrimination, for the liquidation of pre-federation debt and the maintenance of the credit of India in the money-markets of the world.

The supreme need of public finance in India under a system of responsible government is for the people to learn the difficult lesson of self-taxation for the public good. They will never be disciplined in this, so long as taxes are imposed only from above and expended for dimly understood and distant Provincial and National purposes. They can be effectively schooled in this discipline only through intensive development of local autonomy, including the right of imposing local rates and duties and expending them for the betterment of their own immediate surroundings. The scope and resources of local authorities in India urgently need to be substantially enhanced if this lesson is to be learnt and true foundations laid for National and Provincial freedom and responsibility; there is an urgent need to ensure this by Act of Parliament, instead of trusting it to be effected by oligarchies set up in India.

WHAT IS PROPOSED

WHAT IS NEEDED

7. *Administrative Services*

The backbone of the British Indian administrative system of to-day lies in the efficient public services that are organized and controlled from the top in India. The upper ranks of these are recruited by the Secretary of State and controlled on his behalf. Half a century ago when Lord Ripon introduced local self-government into India he foresaw the difficulty of co-ordinating it with the administrative services controlled efficiently from the top, but tried to meet it by appealing to the Services' loyalty to accept government policy in the matter and co-operate to make it a success. Just over a decade ago when responsible government was introduced partially into the Provinces, the joint authors of the Montagu-Chelmsford Report recorded that local self-government had not been the success that had been hoped for and also foresaw that the new changes then introduced would be uncongenial to many in the services; but they contented themselves with providing facilities for retirement to those who could not accommodate themselves to the new conditions, and again appealing for goodwill and co-operation on the part of the others in

As a matter of fact British co-operation and help was never more needed in India than at this time and in the anxious and uncertain days to come; and the masses of the people, if they were but articulate, would make it abundantly clear that they would generally prefer neutral British officers to Indian officers with local prejudices. The only way to solve the problem satisfactorily is to make a fresh approach to it from the side of creating a demand from India for an increased British element in all spheres instead of for Britain to stipulate for and insist upon a minimum British element in certain services only. Means are wanted to create and meet this demand by so devising the constitution as to give scope for the voicing of those other elements in India which are most appreciative of Britain, and also by providing for a new type of British public servant, trained in working with self-governing institutions and made available for India on special short-term contracts. Such would create new democratic service traditions to supplement existing traditions of integrity and efficiency in the public services.

WHAT IS PROPOSED

order to make the reforms a success. Increased emoluments and assurances of security were offered as inducements. At the same time in order to satisfy Indian public opinion, the policy adopted was to diminish the British element and steadily increase the Indian element in the services. Already British recruitment had been stopped in all services transferred to popular control, and it has been restricted in the other services which are at present in the reserved sphere of government. The White Paper has gone further in the same direction and proposes that Britain shall control only the foreign and political department appointments and the India Ecclesiastical Establishment, and to recruit on a 50 per cent. basis for the Police and Civil services for another five years, at the end of which the position is to be reviewed by a statutory body and Parliament.

The trend of this will be inevitably the gradual elimination of the British element from all the services; the proposals, again, are calculated to arouse strong agitation in India to hasten this elimination.

WHAT IS NEEDED

8. *Indian Sovereign States*

About one third of the area of India is not technically British

The net result of this will be an unholy alliance between the pro-

WHAT IS PROPOSED

territory, but consists of over 600 different autocratic Indian States ruled by their respective hereditary chiefs, who recognize the suzerainty of Britain. These vary among themselves in size, population, resources, forms of administration, power, and status. Some have treaties with Britain; others sanads or written documents embodying concessions granted or rights recognized; and yet others have only established custom regulating their relation to the paramount power. In theory and from a legal point of view they are autonomous so far as their internal affairs are concerned; but as a matter of fact in practice Britain has had to intervene repeatedly in the affairs of several States, not only to settle cases of disputed succession, but also in the interests of the subjects in cases of misrule and disorder. It was long the established practice for Britain to deal with these States individually. But during the Great War informal conferences of Princes began to be held. These were constitutionalized in 1921 in the form of a regular Chamber of Princes with a Standing Committee. Recent proposals make the establishment of a federal responsible Central Government, conditional on a

WHAT IS NEEDED

perturbed upper classes in British India and the representatives of the purely autocratic rulers of the Indian states, which will not mean freedom or responsibility for the masses either in the States or in British India. In order to safeguard against this grave danger the minimum required is a condition that no State can enter the federation unless and until it has adopted constitutional government by means of which its subjects can choose their representatives to sit in the Lower House, while the Princes send their nominees to the Upper House. This will not deprive the princes of their rights, but will make them only constitutional monarchs like the King-Emperor himself. If this is not done initially the Central Federal Government set up in India will be a strange unbalanced combination of democratic institutions with undiluted autocracy which will be full of danger to the States and Provinces alike.

WHAT IS PROPOSED

certain percentage of Princes agreeing to come into it.

The Princes may see in this an opportunity to relax British control and seek to come in on their own terms, stipulating absolute non-intervention in the sphere of their internal sovereignty.

WHAT IS NEEDED

9. *Indo-British Relations for the Future*

The idea underlying all recent reforms and present proposals is that of an autonomous India determining its own destiny and yet expected to remain voluntarily within the British Commonwealth of Nations. This is on the analogy of what has happened already in the case of the self-governing dominions in the Empire. Indeed the goal has been actually interpreted as 'Dominion Status' for India.

Far from India seeking to attain 'Dominion Status' she can realize a more intimate and fruitful interdependence with Britain, which will be far superior to the mere independence that other colonies have sought. World-events have shown that the idea of self-contained territorial sovereignty is an obsolete ideal, discredited because it has been everywhere a fruitful source of international dispute and conflict. The hope of a truly international and effectively interdependent league of all nations is as yet an unrealized dream. Meanwhile the British Commonwealth remains an effective *de facto* league

of many free nations knit together not for aggression but for freedom and righteousness. Instead of relaxing existing bonds, the real need is to transform them into such a character as to be of enduring worth and a model to all nations. Such a strengthening of bonds between India and Britain will never come about by merely insisting in a one-sided way, as at present, on what Britain can and must do for India, but by stressing at the same time the opposite truth of what India can and must do for Britain. To ensure this, fruitful ways of exchanging commodities, persons, ideas, and ideals must be explored. Unofficially much can be done on both sides; but Government must give the lead in concrete ways. Not only is it desirable that the best

WHAT IS NEEDED

type of British people should go out not merely to help in the improvement of free institutions from the bottom upwards all over the country, and to spread far and wide European thought, art, ideals, research, and experience among the peoples of India in response to an ever-increasing call from there, but it is no less desirable and necessary that suitably qualified Indians should be utilized in growing numbers to impart instruction and diffuse knowledge of their own ancient history, art, religion, philosophy, and culture in the schools, colleges, universities, learned societies, and on the public platforms of Britain, and that newspapers, journals, broadcasting and commercial circles should advertise and popularize the resources and commodities of each country in the other. In order to give an impetus to such fruitful interchange, the Government may well give a definite lead in concrete ways, not simply by means of mutually profitable economic tariff bonds, by arrangements for mutual defence, and by insisting on a minimum British element in the Indian services for a fixed period, but also by fully exploring the opposite possibilities of utilizing Indian talent to fill suitable key positions in Britain, as, for example, in the staffing of the personnel of the India Office and by following the war-time precedent of admitting an Indian to the inner councils of the Cabinet, by raising him to the peerage and creating a convention of always having an Indian as far as possible as either Secretary or Under-Secretary of State for India. Such a policy will serve to open up a new era of friendship and goodwill between India and Britain.



PRINTED IN
GREAT BRITAIN
AT THE
UNIVERSITY PRESS
OXFORD
BY
JOHN JOHNSON
PRINTER
TO THE
UNIVERSITY